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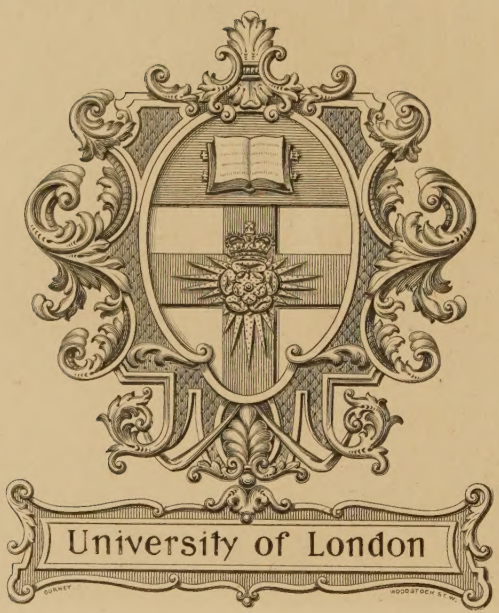

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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

53 & 54 VICTORIÆ, 1890.

VOL. CCCXLII.

COMPRISING THE PERIOD FROM

THE FIFTH DAY OF MARCH, 1890,

TO

THE TWENTY-SIXTH DAY OF MARCH, 1890.

Second Volume of the Session.

THE HANSARD PUBLISHING UNION, LIMITED,

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ERRATA.

Mar. 10. Mr. A. J. BALFOUR, on page 453, take out asterisk.

Mar. 13. Page 687, insert before adjournment of House of Lords :—

LUNACY (CONSOLIDATION) BILL—(No. 24.)

House in Committee (according to order); Bill reported without amendment: Amendments made: Bill to be read 3ª on Monday next; and to be printed as amended. (No. 41.)

Mar. 17. Mr. D. CRAWFORD, on page 1099, line 3, *omit* in this House; line 4, *after* education, *insert* as I hope we may one day have in the County Council.

Mar. 25. Mr. H. H. FOWLER, on page 1860, line 55, *alter* Carr's *to* Gace's.

An Asterisk at the commencement of a Speech indicates revision by the Member.
Corrected with H.M.'s Government.

HANSARD'S PARLIAMENTARY DEBATES.

IN THE

Fifth Session of the *Twenty-Fourth Parliament* of the United Kingdom of *Great Britain* and *Ireland*, appointed to meet 5 August, 1886, in the Fiftieth Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF SESSION 1890.

HOUSE OF COMMONS,

Wednesday, 5th March, 1890.

QUESTIONS.

THE SPECIAL COMMISSION—PRINTS OF THE EVIDENCE.

(1.5.) Mr. MAC NEILL (Donegal, S.): Perhaps the Secretary to the Treasury can answer the question I have given notice of, addressed to the First Lord of the Treasury, namely: How many Copies of the Evidence given before the Special Commission, on which the Report of the Judges is grounded, have been printed; and why has the type from which this Evidence was printed been broken up?

The SECRETARY TO THE TREASURY (Mr. Jackson, Leeds, N.): There have been 750 copies printed, and I am informed the type used in the earlier portion has been broken up in consequence of an application from the printer, who represented the inconvenience of keeping such a large quantity of type locked up. As my right hon. Friend said yesterday, if the number of copies printed should prove insufficient of course steps will be taken to reprint to meet further demands. But this will be attended with considerable expense, and I hope, from what I can learn, that the number printed will be found sufficient.

Mr. CLANCY (Dublin, Co.): The right hon. Gentleman the First Lord said yesterday that the type was broken up some time ago; and, if that is so, may I ask why copies were not delivered some time ago?

Mr. JACKSON: The evidence goes over a long period, the earlier portion going back to 1888, and it is the type used in the earlier portion that has been re-distributed. If pressed, I should say I think there was an error of judgment in this; but still, as I have said, I hope that the number of copies printed will be found sufficient.

MR. CLANCY: My only object is to ascertain if there are sufficient copies or not, and I would ask when the printing was completed? It was only yesterday I received my copy.

MR. JACKSON: I cannot answer the question without notice; but if the hon. Member wishes I will ascertain.

MR. E. HARRINGTON (Kerry, W.): I would ask the hon. Gentleman whether the printing was not carried on day by day as the Commission proceeded; and was it the type of the corrected or the uncorrected proofs the printer broke up? Also, I would ask, were no stereos taken for future use?

MR. JACKSON: I cannot answer as to these details, for, of course, the printing was done under the control of the Commission, and we had nothing to do with it.

ORDERS OF THE DAY.

SPECIAL COMMISSION (1888) REPORT.

Order read, for resuming Adjourned Debate on Amendment [3rd March] to Question—

"That, Parliament having constituted a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons, and the Report of the Commissioners having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matters referred to them; and orders that the said Report be entered on the Journals of this House."—(*Mr. William Henry Smith.*)

And which Amendment was,

To leave out from the first word "House," to the end of the Question, in order to add the words "deems it to be a duty to record its reprobation of the false charges of the gravest and most odious description, based on calumny and on forgery, which have been brought against Members of this House, and particularly against Mr. Parnell; and, while declaring its satisfaction at the exposure of these calumnies, this House expresses its regret for the wrong inflicted and the suffering and loss endured, through a protracted period, by reason of these acts of flagrant iniquity,"—(*Mr. W. E. Gladstone,*)—

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

(1.10.) MR. MAC NEILL (Donegal, S.): When the Government have seized upon a private Members' day the responsibility rests with the Government to make a quorum. It would be much more convenient if this Debate were carried on upon ordinary Government days, and we were allowed to proceed with the important business set down in the Order Book for to-day. I must say, having regard to the character of this Motion, it would have been well for the Government if they had prevented this hour's delay that has occurred. Last night, when by effluxion of time the Debate was adjourned, I was observing that Mr. Soames, having ransacked one hemisphere for all the miserable perjured ruffians he could obtain to support his case went to another hemisphere, and the telegrams read by my hon. Friend (Mr. Harrington), in reference to Mr. Soames' dealings with traitors and dynamitards in America, throw an important light and have an important bearing upon the proceedings before the Commission. The Attorney General seemed to be quite unaware that these telegrams had been sent and received, and apparently understood nothing about them. Who, then, was the counsel so frequently mentioned in those telegrams? Had Mr. Soames such power over the Attorney General that he could use his name in any way he thought proper? The one counsel who was alone responsible was the leader of the English Bar, who pledged his professional and political reputation to establish his case. I wish to emphasise what I said last night on the spur of the moment, and I will mention it again and again in every place I speak. I put it in the form of a question, and I ask is this account we have had given for the first time the explanation of Lord Salisbury's refusal to accept as an actual fact the forgery, the falsity, the fictitious character of the letters attributed to my hon. Friend the Member for Cork? Was it because there was a hope that by means of these American negotiations, this raking up and buying of evidence, something might be forthcoming to galvanise into life again the charges in the Pigott letters after Pigott had committed suicide? Lord Salisbury, I take it, was waiting for some evidence by which the

letters might practically be substantiated by which to slur over the Pigott affair, and then Lord Salisbury would be received as the prescient statesman whose knowledge rightly gauged the height, and depth, and breadth of the iniquity of Irish Members. That was the meaning of the non-acceptance of the disclaimer of the hon. Member for Cork. It was this statement of Lord Salisbury that led to the celebrated scene in the House, when my hon. Friend the Member for Cork challenged anyone by word, by look, or gesture, to insinuate that he was the author of those letters. I will ask the Attorney General, when he comes to make his reply, when did he know of the Soames' cablegrams to Sheridan and Kirby in America? When did he permit his name, as responsible counsel, to be mixed up with these attempts to buy dynamitards and informers in America? Was it the knowledge or inkling of this American correspondence that caused him on the floor of this House to acknowledge he drew up the so-called apology for the *Times* when, during the early days of the proceedings before the Commission, Pigott's villanies came out? Was it with the hope that Pigott's letters might be galvanised into life again that he and others tried to make political capital out of the degradation and moral death of colleagues in this House? Lord Salisbury, I submit, must have had knowledge of this business with Sheridan and Kirby. Is it a fair supposition that every step in the proceedings by the *Times* was known to the Cabinet? I assert it is, and for this reason: If the Attorney General, a lawyer of great experience, felt it necessary to consult the Lord Chancellor and also Lord Salisbury in reference to a foul and abominable criminal case, surely he would consult the same functionaries in reference to a case likewise of a criminal character, involving the moral life or death of 64 of his colleagues in this House? Surely Lord Arthur Somerset's character is not more precious to him than the character of 64 Members of Parliament. The hon. and learned Gentleman consulted Lord Salisbury on a matter of much less importance. In a criminal case I should have thought he would have consulted the Solicitor General and his own legal colleagues, but instead of that he consulted the Lord Chancellor; and my belief is that the Attorney General must be in the habit of consulting Lord Salisbury and the Lord Chancellor in reference to the administration of justice as regards Irish Members. I put to him a distinct question. Did he take the same precautions in reference to the Irish Members as he took to protect Lord Arthur Somerset's character? If so, that throws a light on the proceedings, for every one of them must have been conned over as a Cabinet matter. It is a connecting link between Printing House Square and Downing Street, and associates them so that there is no distinguishing the one from the other. If the hon. and learned Gentleman did not do so, then he considers our character and reputation of less importance than the character and reputation of Lord Arthur Somerset. Or perhaps the distinction is that he consults the Lord Chancellor when it is a question of securing an acquittal, while he acts upon his own responsibility when his efforts are directed to securing a conviction. Sometimes counsel who are defending a criminal start different theories in the absence of each other, and Members of the Government in their defence have started different theories. The right hon. Gentleman the First Lord of the Treasury has called the work of the Commission "An important judicial proceeding." The Home Secretary, who I might almost say has a faculty for blurting out unfortunate expressions, calls it a "State inquiry." Is it comparable to a trial as between man and man, or is it a proceeding carried out by a great political Party in the State, through the form and machinery of justice, to crush and destroy political opponents? The right hon. Gentleman the Home Secretary drew a very entertaining comparison between our actions and the conduct of the editor of the *Times*, between the latter and *United Ireland*. It was certainly a strange comparison, but we do not forget that the right hon. Gentleman himself was introduced to public life by the editor of the *Times* as a cross between a Tory and a Fenian. The right hon. Gentleman invites us to consider the origin of the inquiry and traces it to the time when the First Lord first offered a Special Commission. I will go a little further back, and take the origin of the inquiry from the 18th of April, 1887.

That was when the forged letter appeared, and I very well recollect it, for it was on that very evening that a Division was taken on the Second Reading of the Coercion Bill. It was openly stated by Mr. Mac Donald on oath that the letter was inserted at that time in order to influence that Division. The rule which now closes debate at midnight was not then in force, and what occurred was this. My hon. Friend the Member for West Belfast got up pretty early in the evening and denounced the letter as a manifest and clumsy forgery. My hon. Friend the Member for Cork rose close upon the approach of midnight. The Chief Secretary for Ireland wished to give the *Times* a helping hand, for I say the Cabinet and the *Times* were hand in hand, and he rose at the same time as my hon. Friend, and, though there were loud calls for my hon. Friend, the right hon. Gentleman availed himself of the position of a Cabinet Minister and refused to give way. He made an unusually long speech, extending far over midnight. I do not analyse his motives, but the effect was that the repudiation of the letter by my hon. Friend in all its scope and fulness could not get into the next morning's papers. So we see the *Times* and the Treasury Bench acting perhaps in unconscious harmony, but at the same time working together. Then came the celebrated meeting on the eve of the Special Commission between the First Lord of the Treasury and Mr. Walter, as old friends, with a young associate, Mr. Buckle, editor of the *Times*, and immediately after this meeting, the incidents of which were elicited from the right hon. Gentleman after a most tremendous cross-examination across the floor of this House, then came the Special Commission. Now, I am speaking within the hearing of many who have had considerable Parliamentary experience, and I am stating a fact when I say that in the appointment of Commissions for the elucidation of truth in regard to any matter it is the invariable practice for the leaders on the Front Opposition Bench to meet Cabinet Ministers from the Treasury Bench in order to come to an agreement in a friendly way as to the names of the Commissioners. So much has this been the rule that I remember a case—I do not care to mention the name, that of a most upright and honourable gentleman, against whom not the slightest imputation of unfairness or want of good faith has ever been made, but I am willing to put the name on paper—I remember a case in which a Commission being appointed it was intended by the Government of the right hon. Gentleman the Member for Mid Lothian to include a certain Irish Judge. But the Government were given to understand that the Tory minority would vote against his nomination, and sooner than have an angry conflict, in which the character of a Judge would be concerned and the composition of a judicial Commission brought into question, this name was eliminated and a name satisfactory to both parties substituted. But how did this present Government act in regard to this Special Commission? They gave us the names of three Commissioners with the choice to take them or leave them. In vain were various suggestions and tentative proposals made for an amicable agreement in reference to the Judges. No; the Judges were selected by the Government with, probably, the advice and concurrence of the Lord Chancellor and the Attorney General, or two of the prosecuting counsel. I recollect nothing like this in all English history. We are familiar with jury packing in Ireland, and we know it is a custom to pack public meetings in England. In our meetings in Ireland we address audiences anywhere in the highways and byeways, in hall and market, but I know a ticket precaution is considered necessary here. Perhaps it is an easy transition from jury packing and packed meetings to the packing of a Special Commission. Now, I do not feel unkindly towards the Commissioners, I do not say one word with the view of impugning the high character and honour of the three Judges selected, but having the whole Judicial Bench of England as a jury panel, you selected, three who, from their antecedents, would have a bias against Irish Members, and you gave us no choice. First, the President, a very high-minded Judge, Sir James Hannen, earlier in his career—it was his misfortune more than his fault—was prosecuting counsel in a celebrated trial known as the Manchester Martyrs' case. It was during the Fenian times of 1867. An attack was made upon a police van at Manchester, and murder followed. The lock of the van

was forced by a shot, and the policeman inside, Serjeant Brett, was killed. Undoubtedly, though the assailants did not intend to take life, they were legally guilty of murder. Four of them were found guilty, and three were hanged. Against the fourth man there was not a shadow or tittle of evidence to justify his sentence, and he was saved by a strong petition to the Crown from the reporters who followed the case in Court, and showed there was really no evidence against him. Out of this case arose great popular commotion and excitement. This was Sir James Hannen's first connection with Irish troubles. As regards Mr. Justice Smith, I will only say he is an Irish landlord who happens to have had his rents reduced by the judicial action of the Land Commission. He was selected as Judge in reference to a question in which the action of Irish Members in relation to landlordism and the English garrison in Ireland, came up for consideration. Mr. Justice Day was selected because he had been on the Commission of Inquiry into the Belfast riots, a question on which fierce Party feelings were aroused, and he would have been something more or less than human if he had not a strong inclination and bias one way or the other—as you supposed, in favour of landlordism. In this Commission Report you see, although the Commissioners have done their best to be fair between man and man, you see distinctly the inclination of these Judges. First, let us look at what they say in reference to the destruction of documents. The wholesale, wilful, and premeditated destruction of documents by Mr. Houston is not commented upon, but there is another case of loss of documents in which the Land League was concerned. These documents were scattered when the League was suppressed, were searched for and not found, and the Commisssoners are extremely angry at their non-existence. But they let off Mr. Houston of the *Times*, though he absolutely stated that he destroyed documents, when a subpœna was served upon him to produce documents that were ear-marked at the time. Observe, also, the manner in which the Report deals with similar matters as they affect the Irish Members, and as they affect the *Times*. The Commissioners expend the violence of their wrath on certain articles published in *United Ireland* and the *Irishman*, but when the pith of this foul conspiracy against us is touched upon, the Commissioners give a bare recital of the letters with the opinion that they are forgeries as if they were merely drawing up a dry legal document. Now, I object very strongly to the Resolution the First Lord has submitted because, I think, it casts a slur upon the English Bench. It is, I think, a wrong thing to congratulate English Judges on their fairness and impartiality. It is assumed Judges are fair and impartial, or they would not occupy their position. It is simply little less than an insult to compliment them for impartiality. The parties have changed places, for we are the prosecutors now. But how are we to judge when we have not had the evidence placed before us? You say, adopt the Report. I wonder who in the Cabinet started that word. I am perfectly certain there was an amusing conversation over the word "adopt." One would say "Why not accept it. If we accept we shall have to act upon it, but adopt binds us to nothing." To adopt the Report means not to act upon it. Serious charges are levelled at the Irish Members, charges of intimidation and boycotting, why don't you act? Why don't you expel us, and retire from Parliament yourselves, and contest some of the Irish constituencies with men you have expelled? Why meet us on a social equality if you believe we are criminals? No; this is only done for the elections, and it has not succeeded very well up to this. The Solicitor General is not, unfortunately, present. He is a person playing for his own hand all through these proceedings. He refused to hold a brief for the *Times*, but at Doncaster he said—

> "The Tories would take care that the results and the decisions of the Commission were accepted in their fulness."

It was not "adopted," but "accepted in their fulness." The people of the country are convinced—if they are not, it will only require a few more letters of the right hon. Member for West Birmingham, and a few more speeches from the hon. Member for South Tyrone, to convince them—that this Commission has been, from first to last, a mere attempt to galvanise personal hostility against a political Party. You speak of the indemnity clause—you can't prosecute us because of the indemnity clause. But the indem-

nity clause was forced in the House by the Government, and violently, indignantly, and strenuously resisted by the Irish Members, who said they would not take any advantage of it. The clause was forced in the House by the Government in the interest of the *Times* and Mr. Soames. But it is evident that no indemnity clause can affect this House dealing with its own Members, for if we were indemnified ten times over you could expel us, and say we are unworthy of seats in Parliament. The Home Secretary and the First Lord of the Treasury have said they are rejoiced at our acquittal from all personal charges. Is the right hon. Gentleman the Member for West Birmingham rejoiced, for he has said the *Times* showed public spirit in bringing these charges? Is the noble Lord the Member for Rossendale rejoiced, for he has said the weight of the evidence lay with the *Times* as against us? Whether our opponents rejoice at our acquittal or not, they utilised the military and police forces of the Queen, both in this country and Ireland, to bring about our conviction. Pigott, as long as he was useful to the Government, was guarded and kept out of harm's way. He was kept in the custody of two sergeants of the Royal Irish Constabulary until it was thought his escape would be useful to the Government. Under whose command were the two Irish policemen protecting Pigott? Under the command of Shannon, of the *Times*. Shannon of the *Times* was a solicitor's clerk, who was given the run of the English prisons by the Home Secretary, and of the Irish prisons by the Chief Secretary. He was brother of the man in charge of Pigott, and was Colonel Turner's private secretary, and was for months employed in Dublin Castle tabulating evidence to show Irish Members' complicity with crime. Why was Pigott allowed to escape? Why was Lord Arthur Somerset allowed to escape? Because their escapes were useful for political purposes. Now, the prisons of England were open to the *Times'* agents. We find you were willing to release two of the wretched and debased Invincibles if they would only throw degradation and dishonour on the Irish Members. We find that witnesses swore that they were coached in their evidence by members of the Constabulary. Indeed, I take the liberty to say that in this Commission Irish methods have been introduced into English administration to a measure unknown in this century. I find that two Irish Resident Magistrates—Mr. Plunket and Mr. Stack—who were not examined, were close upon three months in London. Why were they here? Simply to instruct the Attorney General and the Cabinet. We find Mr. Soames applying to the Government officials for information, as if the Attorney General was not every day of his life in constant league and association with these Government officials. In order that everything should appear straightforward, formal application was made for information. The Chief Secretary is seldom at a loss for an answer, but he has no reply to the question how it came to pass that an Irish constable was authorised to visit, on behalf of the *Times*, prisoners in English gaols. The Home Secretary caused some merriment by saying that the constable went as the representative of Mr, Soames. How could an Irish constable become the representative of Mr. Soames? Could he have done so in any ordinary civil transaction between man and man? Of course not. It was because the Government were the prosecutors and we the respondents that all the forces of the Crown were used against us. Upon one day there was no one ready to give evidence before the Commissioners. But I find that on that day there were in England no fewer than eight members of the Royal Irish Constabulary in uniform, 10 in plain clothes, besides five district inspectors, and four members of the Dublin police. At this time three district inspectors, including Shannon, were in Dublin Castle tabulating statistics of crime. What was done when we endeavoured to tabulate statistics of crime? Five or six young men in Kerry went about from house to house endeavouring to show from the evidence of the people that the Irish Members had nothing to do with the outrages in Kerry. They were hunted by the police, their documents were taken from them, and they only got their papers back after six weeks' fighting in this House. Now, what was the course adopted by Irish Members? The Commission was granted to enable Members to clear their characters; but what happened in the case of two Members? Mr. Edward Harrington, one of the Members for Kerry, knew that there were emissaries

of the *Times* in Kerry, and he warned the people through his paper, the *Kerry Sentinel*, not to receive those emissaries, or give them any countenance. For 16 months there had not been a Press prosecution in Ireland, but no sooner did these paragraphs appear than the hon. Member was charged with reporting meetings of suppressed branches of the League, and sentenced by Mr. Cecil Roche to six months' imprisonment with hard labour. Mr. W. O'Brien, in his paper, *United Ireland*, said something disparaging of the Attorney General. That, no doubt, was contempt of Court; but the Judges, having regard to all the circumstances, did not inflict any punishment. That occurred about the early part of November, but the Government felt they must show Mr. O'Brien he must not speak disrespectfully of the Attorney General. Accordingly, for a speech he made in the previous September they sentenced the hon. Member to three months' imprisonment with hard labour. Now, I desire to be told how it came to pass that the *Times'* agents were able to enter English prisons and visit prisoners without the prisoners' own request, and, what is more remarkable, without the presence of a warder? Malley and Mullet, two Invincibles, are prepared to swear that these infamous agents offered them freedom if they would only testify against the Irish Members. Could anything be more reprehensible than that a man should enter a prison cell and offer the prisoner his liberty if only he would bear false witness against his neighbour? The great Pigott was allowed to see Daly, the dynamitard, in prison. He got permission on the 20th of November, but early in October the Attorney General knew what Pigott's character was. Why was Pigott allowed to see Daly? Was it to concoct a perjured tale against the Irish Members? Shannon, the miscreant of the *Times*, was allowed to see Delaney, another Invincible, in the Maryborough Prison. Shannon represented himself as a Crown official, and administered to Delaney an illegal oath. I have here a letter written by Delaney, on the 5th of November, 1889, to a Crown official whose name we have not given yet. In that letter Delaney asks for the fulfilment of the promises as to his release, showing that he had been got at by others besides Shannon. The Commission having commenced its sittings on October 22nd, and it being necessary to economise as far as possible, and drag on the evidence in order to keep Pigott away, the circular dated November, 1888, which was read in the House on the 12th April, 1889, was issued by the Irish Government, asking the police to collect evidence to be used in the *Times* case. Well, this circumstance, together with the other facts I have narrated, shows clearly that between the Government and the *Times* there was a close and intimate connection, and that, as the Government would be prepared to take advantage of the Commission if it succeeded, we Irish Members are only acting fairly by ourselves, and by the Government, in seeking to drive home the advantage we have gained by the failure of what we regard as one of the grossest conspiracies ever entered into for the purpose of driving men from public life and discrediting the cause of a people. One of the miserable charges hurled against us was that seven of our Party, in the year 1879, were determined if they could to bring about a separation between England and Ireland; and another wretched charge was that we had been guilty of intimidation. Well, times have greatly changed since 1879; but I suppose none of the seven Gentlemen who have been found guilty of the first of these charges will do anything but glory in it. Under the circumstances of that day, they were justified in seeking separation, but I would remind the House that the Irishmen who were the most ardent enemies of England at that time have become her warmest friends, thanks to the conciliatory policy of the right hon. Gentleman the Member for Mid Lothian. They delight in England and in English audiences. These quondam traitors going amongst the English people are received with an enthusiasm which would not be exhibited towards right hon. Gentlemen opposite; and even amongst the classes there is a reaction setting in against the bitter persecution to which Ireland and its representatives have been, and still are, subjected by the Government and the *Times*. They are fair-minded people. They do not like to see men hunted down, and, above all, they do not like to see men hunted down by a mean, mercenary, metallic tyranny. They cannot shut their eyes to the fact that the persecution to which the Irish Members have

been subjected has been a source of profit not only to hirelings, but to Members of the Government themselves—even to the First Lord of the Treasury. W. H. Smith & Son must have made thousands and thousands of pounds by the sale of the terrible libels published against us by the *Times*. Will the First Lord of the Treasury make restitution for all the libels which have been circulated by his firm? As to the statement made by the hon. Member for Oldham (Mr. Lees) yesterday in the course of his recantation, namely, that the right hon. Gentleman the Member for Mid Lothian had said that the Act of Union was the chief cause of all the desire for the separation of England and Ireland, whether or not that was a correct representation of the views of the right hon. Gentleman, there was not the slightest historic doubt that there was no desire for separation in Ireland until 1795 when the Union policy was initiated and Wolff Tone, who was in America and had always wished for separation, delighted at the policy of England, came over to Ireland saying that in the Act of Union he had received his credentials for action. I remember, from my reading of history, that on one occasion no fewer than 16 gentlemen spoke in a debate all against the Union, on the ground that it would have the effect of promoting separation between the two countries. The Member for Mid Lothian, on Monday, pointed out that the Union had been brought about by massacre, force, fraud, and treachery, and the right hon. Gentleman never said a truer thing than when he declared that Mr. Pitt had brought about the rebellion in 1798. The Government of the day instigated and promoted the rebellion in order to carry the Union. No fewer than three leading military commanders resigned their post because they were honourable soldiers and would not be parties to goading the people into rebellion. Lord Clonmell refused to attend the Irish Privy Council any longer for the same reason. Of the 42 Chief Secretaries we have had in Ireland, Lord Castlereagh was the first—and the right hon. Gentleman the Member for Manchester (Mr. A. J. Balfour) is the last of that order—and what did he do? Why through an informer he, for 18 months, knew every step taken by the people, every method adopted, every word spoken, but he allowed the rebellion to grow until such time as he could steep the country in bloodshed, and a Unionist historian has told us that his policy cost 70,000 lives. So much for the massacre. Now as to bribery. I do not think the success of the present Irish landlords—one of whom has obtained a quarter of a million from the public purse under Lord Ashbourne's Act—can be contrasted with that of the gentlemen who were bribed in the Irish Parliament. Three millions were spent in bribing 164 of the 300 Members of the Irish Parliament, exclusive of the £1,260,000 paid for the purchase of nomination boroughs. A perfect cloud of peerages was created both for Ireland and the United Kingdom. So grave in fact was this scandal that Mr. Lecky has declared that the Irish Peerage is a record of acts not of honour but of shame. The Act of Union was supported by 164 Irish representatives and opposed by 120, and of the 164 there were only three who went away without a gross metallic bribe in their pockets. Moreover, in the Irish Parliament, out of 300 Members there were 116 place-men, whilst out of the558 Members in England there were only 52 place-men. Am I wrong, therefore, in saying that the Act of Union was obtained by bribery, coarse, vile, metallic? Should we, I ask, be men making a right use of the hearts and brains God has given us if, remembering these things, we did not endeavour to bring about a reaction? Then, as to force, the men of 10 Militia regiments who were Protestants, and who had helped to put down the rebellion, received bounties of from £6 to £8, to go to England and abroad, and they had no sooner gone than their places were filled by Englishmen. The Government would not trust to Irish Orangemen to destroy the legislative independence of their own country. Then, it is needless to point out how fraud was practised in procuring the Act of Union. Many Irish Members were induced to accept the office corresponding to the Chiltern Hundreds in this House, and their places were filled by nominees of the Government—officers of the army and navy, and others, some of whom were never in the country at all. And a fraud was perpetrated upon us, when we were promised equal rights with England. Have we had equal rights? You have given us 88 Coercion Acts, and your oppression has culminated in the terrible charges inquired

into by the Special Commission, the object being to destroy our reputation, and, if possible, sacrifice our lives. We are charged with having been guilty of intimidation. Well, I have no doubt that intimidation was practised, and would to God it had been practised in the 40's, particularly in 1846. The late Mr. Forster, when a young man, saw some of the scenes of misery which took place in Ireland at that time. It is related of him that on one occasion he went into a cottage, having first been obliged to burst open the door, and found a starving peasant lying on the floor, his father leaning over him and chafing his hands. Mr. Forster went to the fire, made the kettle boil and prepared a cup of tea for the starving creature, who, on opening his eyes, said "I thought, Sir, you were the Angel Gabriel come down to assist me." Such scenes as that, Sir, would have been general all over Ireland of recent years if we had not resisted the injustice and tyranny to which our countrymen have been subjected by intimidation. In 1848 a million of our people died from starvation, although the country contained food enough to feed three times the population of the country; but that would not have been the case had we known the value of intimidation. We know it now, and since 1879, by its means, have saved hundreds of thousands of our people from starvation, and have brought comfort to the comfortless. For this we are called criminals. We glory in being so considered and in being accused of making attacks on the so-called English garrison. As to your Report, take it. We care nothing for it; the certificate we want, and the certificate we are receiving, comes from the English people outside this House, whom you no longer represent. The positions are now reversed. It is you who are now the accused and we who are the accusers. The hon. Member who made his recantation speech yesterday showed us what is the feeling of the English public, when he said, "If I were only to go into the Lobby with you I should be considered a great hero." So he would—in the best sense of the term, for he would have been a hero in his own heart and conscience. He said he did not know how he would be considered now, but if I had to draw his political character I should liken him to the young man referred to by Dante who made the great refusal. There are many Conservatives who will go into the Lobby in support of the Motion of the leader of the House, knowing full well that they are inflicting a wound on their fellow Members, and that it would be more honourable to sacrifice Party than to vote with it. They will carry their Motion by their mechanical majority, but we tell them that their decision will be reversed, and that very soon. Motions carried in this House have been reversed centuries afterwards, but we are not going to remain centuries under this stigma. It will be reversed even before Home Rule is carried. (2.20.)

*(2.40.) MR. A. W. JARVIS (Lynn Regis): I think the House will admit that the Amendment of the right hon. Gentleman the Member for Mid Lothian must sorely have taxed the ingenuity of himself and his Colleagues who were responsible for drafting its terms. I sympathise with the hon. Gentlemen on the opposite side of the House for the dilemma in which they were placed by the Report of the Commission, but I cannot congratulate the right hon. Gentleman and his Colleagues upon the result of their deliberations, which, we are led to believe, were not only numerous, but protracted. The Amendment, to my mind, begs the whole question of the Report. The Resolution of the First Lord of the Treasury asks the House to adopt the Report and to thank the Judges for their just and impartial conduct. The Amendment virtually refuses to adopt the Report and ignores the greater part of it. We are led to believe, therefore, that although the right hon. Gentleman, in the able and eloquent speech which he delivered at the commencement of this debate, said he was bound to admit the impartiality of the Report, there is some doubt in his mind as to the justness of the decision arrived at by the Commissioners, and, although he would ask the House to consider it a matter open to some doubt, whether the verdict is just or not, right hon. and hon. Gentlemen opposite would lead the country to believe that the verdict was a triumphant acquittal of Gentlemen below the Gangway. I consider that proposition an absurd one, and I believe no one recognises the absurdity of the suggestion in his heart of hearts more than the Member for Mid Lothian himself. We

are told from the platforms on which hon Gentlemen speak, and in the Press, that Members below the Gangway have been triumphantly acquitted of every charge brought against them by the *Times* newspaper, and yet the Member for Mid Lothian throughout the whole course of his speech described the Resolution of the First Lord of the Treasury as a Vote of Censure upon Members below the Gangway. One would have thought that if the real opinion of the right hon. Gentleman and his followers is that this Report of the Commission is a triumphant acquittal, they would have been only too glad to have seen such a verdict entered upon the Journals of the House. Possibly, on second thoughts, Gentlemen opposite are gradually and unwillingly realising that the acquittal is not quite so triumphant as they would in the first instance have led the country to believe, or why should they ignore the judgment of a fair and impartial tribunal upon points equally if not more important than those upon which the right hon. Gentleman expresses his approval? And why should the hon. Member for North-East Cork publish statements in the paper for which he is responsible—*United Ireland*—which only deals with those findings of the Commissioners which either have not been established or which may not have been proved? A very different thing to being disproved. Is it because they are unable to trust the people of this country to form a fair and impartial judgment upon their own consideration of the case, or is it that they would impugn the justice and impartiality of the English Bench and cast a slur upon the three Judges who have conducted this inquiry, and who on the first appearance of their Report the journal which represents the opinions of hon. Gentlemen opposite, described as high-minded, independent Judges sitting in the enjoyment of universal esteem? I am inclined to think that it is for the first reason. They are aware that unless a different complexion is put upon the case than that laid down in the terms of the Report, their cause will be shattered in the country when the real means by which it is fostered and promoted are shown to the people of the United Kingdom. But, whatever may be the reason for this course, the right hon. Member for Mid Lothian cannot select points from the Report of the Commission to suit his own fancy and for his own political purposes, and ignore other points which show that some of his former opponents and present allies below the Gangway have been members of either treasonable or criminal conspiracies. The Member for Mid Lothian, in the course of his speech, admitted that there were a certain number of hon. Members who sat below the Gangway, who, on former occasions, had expressed ideas favourable to the separation of Ireland from England, but he said that that idea among hon. Gentlemen from Ireland is now dead. I observed that when the right hon. Gentleman made that statement it was not greeted with the cheers below the Gangway which he might naturally have expected. What were the arguments of the right hon. Gentleman in moving his Amendment? They were chiefly two. He said that these charges were matters of ancient history, and that what happened at all to support them, happened in the years 1880, 1881, and 1882, in times of great distress in Ireland. And he went on to argue that the agitation in 1879, 1880, and 1881 had been productive of great good, because it had induced him to bring to the consideration of Parliament the Land Act of 1881. With all due deference to the right hon. Gentleman, I consider that that is a very dangerous doctrine for a statesman to teach. If we may continue the argument, it follows that it may be considered by hon. Gentlemen legal for agitators to stir up sedition and to incite to intimidation which may produce crime, with full knowledge of the effect which that intimidation produces, in order to force their views upon the consideration of Parliament. In 1880 the right hon. Gentleman told us that the Clerkenwell outrage and the murder of Sergeant Brett, for which Allen, Larkin, and O'Brien were condemned to death and executed, brought the Irish Question within the range of practical politics, and caused him to introduce the Land Act of 1870. In 1890 he tells us that the Land League agitation, and the crime which naturally followed from that agitation induced him to bring forward the Act of 1881, and possibly in 1896 he will tell us that it was the

policy of fear and the dynamite outrages which took place in this city which brought about his sudden conversion to Home Rule. He quoted a speech from Lord Beaconsfield, delivered in this House in 1844, in which he said it was the duty of Parliament to correct evil features without revolution, but the doctrine of the Member for Mid Lothian seems to me to be that it may be lawful, under certain conditions, to stir up revolution, in order to induce Parliament to consider claims which any party may wish to bring forward. The right hon. Gentleman the Member for Wolverhampton yesterday preached the same sort of doctrine. He told us that it was to a great extent the effect of Bristol being in flames, and of the outrages in Birmingham in 1832 which carried the Reform Act of that year. All I can say is that I consider that a very dangerous doctrine for statesmen of the position of the Members for Mid Lothian and Wolverhampton to preach. Nor do I consider that the historical parallel of the Member for Mid Lothian was a very happy one. He described two classes of Roman Catholics in the reign of Queen Elizabeth—one a large and loyal class, and the other a smaller class, chiefly influenced by ecclesiastical emissaries from abroad, who were constantly plotting against the Queen's life; and he said it was not the duty of the large and loyal class to interfere with what was being done by the smaller and disloyal class. I presume he intended to compare the National League with the larger and loyal class, and the Clan-na-Gael with the smaller and disloyal class. But he did not tell us whether his historical researches had led him to discover if any member of the larger and loyal class had ever taken a treasonable oath against Queen Elizabeth, such as many members of the class to which he compared it took when they joined the Irish Republican Brotherhood. In a debate of this sort it is necessary to examine the whole Report, and not to deal with isolated passages from it. It is absurd to emphasise a small part of the Report to suit the political exigencies of one political Party or the other. But I am confident that everyone on this side of the House, as well as on the other, possesses a feeling of satisfaction that some of the charges most severe and damaging in their character have not been established against hon. Gentlemen below the Gangway. Nine charges were brought against them, and every Member who has spoken in the debate seems to have his own version of what was charged, and also of the Report of the Commissioners. But there is no getting away from the text of the Report, and I maintain that it is absolutely proved against seven Members of this House that they, with Mr. Davitt, established and founded the Land League with one object, and one object alone, and that was to promote the absolute independence of Ireland, to make her a separate nation, free from the control of this country. And although the hon. Member for Cork is not included in that list of seven persons, I myself consider that he sailed very near the wind when he talked at Cincinnati, in February, 1880, of it being their object to continue the agitation, whether in America or in Ireland, until the last link was destroyed which kept Ireland bound to England. We have heard in recent years a great deal about the golden link of the Crown, but I am quite certain that the impression left by that speech upon those who listened to the hon. Member for Cork, and I happened to be in Cincinnati myself that night, was this, that having put his hand to the plough he would not look back till even that golden link had been severed. In another speech, delivered by the hon. Member in the City of Cork in January 1885, he said:—

"We cannot under the British Constitution ask for more than the restitution of Grattan's Parliament, but no man has the right to fix the boundary to the march of a nation. [*Great cheers.*] No man has a right to say to his country, 'thus far shalt thou go, and no further,' and we have never attempted to fix *ne plus ultra* to the progress of Ireland's Nationhood, and we never shall!"

That speech could have left but one impression upon those who listened to it, and that was that if the National League and those associated with it desired that their policy should be the absolute separation of Ireland from England, he for one was not going to refuse to lead the van. I consider it also proved up to the hilt by this Report that 42 Members of this House, including the Member for Cork, have been members of a criminal conspiracy, and carrying out their objects

by a system of cruel coercion and intimidation. We have heard a great deal in recent years about coercion in Ireland. The hon. Gentleman who has just sat down described the Government of Ireland as at present administered by the Chief Secretary in Ireland as a "mean, mercenary, metallic," tyranny, and Gentlemen below the Gangway are continually talking of the Government of Ireland as a system of tyrannical coercion. We are used to that. But very often we find those hon. Gentlemen saying in the next breath that coercion in Ireland is futile and useless. I have often wondered when I have heard the Member for North-East Cork describe the system as futile and useless, and of no moment to him and his Colleagues, why they make such a fuss about it, and why they go whining about the country complaining of the restrictions put upon them under the administration of the right hon. Gentleman? We have often maintained on this side of the House that the present system is one that will prevent coercion, and I think the finding of the Commissioners on this point proves us to be absolutely in the right. There are two coercions in Ireland—one that of the Chief Secretary, which is a coercion to protect the loyal, and to enforce the law, and the other the coercion of the National League, the object of which is to bring about disobedience to the law, and to create a reign of terror in the country, such as we have never experienced. hon. Gentlemen may take exception to that statement, but I would ask whether it is or is not a reign of terror when people are prevented from carrying out those contracts which they have voluntarily entered into, when in consequence of the system of coercion carried on by the National League, people are not allowed to buy from or to sell to whom they please, when businesses are destroyed and men are prevented from carrying on their lawful occupations in life; and also when they may even have to answer for their loyalty with their lives. Well, Sir, hon. Gentlemen have been acquitted of the charge which the *Times* newspaper made, that when they denounced crime they were not sincere in their denunciation. I am very glad that they are acquitted from such a terrible charge. We upon this side of the House never made any such charge against them; we have only said that hon. Gentlemen below the Gangway did not denounce intimidation, although they did not actually incite to crime in so many words, and it has been proved that they incited to intimidation which intimidation produced crime, and that they persisted in the system with a full knowledge of its effects. It comes to this, that although they are not actually engaged in pulling the chestnuts out of the fire they were adopting the more cowardly practice of inciting and abetting those who were thus occupied. It has been proved that hon. Members of this House defended persons who were charged with crime. It has been proved that they compensated persons who were injured in the commission of crime, and that they supported the families of those who were convicted or injured, but it has not been proved that they subscribed to testimonials or assisted by money incriminated persons to escape justice. I do not mean when I say that it has not been proved that it has been disproved; that is a very different thing. All we can say is that the Commissioners were not very clear on that subject, because the books of the National League had been withheld. Now, why were those books withheld if it was possible for them to disprove those charges? If it had been in the power of hon. Gentlemen opposite to disprove those charges, why did they not produce those accounts, and if they failed to do so, surely the country will draw the natural inference that their production would scarcely be favourable to the cause of hon. Gentlemen below the Gangway. It has also been proved that hon. Members opposite abstained from condemning the action of the physical force party in America in order to obtain the assistance of that party. Crime and outrage we all know to be the very life-blood of the Clan-na-Gael conspiracy, and if the National League accepted the assistance of that conspiracy without condemning the means by which that murderous association was maintained, they must have been accessory to the crimes committed by members of the Clan-na-Gael. You may just as well argue that if a man is supported by funds which he knows have been obtained by burglary, although he himself has not actually committed the offence, he is

not equally guilty of theft. But it has been proved that the hon. Member for Cork did not know, or rather it is not proved that the hon. Member for Cork did know, the manner in which the Clan-na-Gael was collecting the funds which were sent over for the support of the National League. I have always regarded the hon. Member for Cork as a very shrewd and astute individual, and I should have supposed that ignorance of the means by which his Party was supported, and of the way in which that Association was maintained, would have been the last thing I should have attributed to the hon. Gentleman. I have always considered the hon. Member to be more moderate in his views than many of those who sit around him, but, like many others who have set a stone rolling downhill, he has found himself absolutely unable to control either its direction or its velocity. We have not forgotten the Chicago Convention of 1886. We must not forget that the hon. Member for the City of Cork and the National League were represented at that Convention by the Members for North-East Cork, North Wexford, and West Mayo. If we look at the company kept by those Gentlemen on that occasion, I think we must imbibe a very shrewd notion that they must have known or must have understood the manner in which the Clan-na-Gael Association collected their funds. We are told that the "night before the Convention there was a meeting between Messrs. Davitt, O'Brien, Redmond, Egan, Sullivan, and Ford." Well, I say that if those gentlemen represented the hon. Member for the City of Cork, and he and the National League kept such company, they must have had a shrewd notion of where the funds to carry on that organisation were obtained. If it were not so, why were they afraid to produce the books; and if the hon. Member for Cork was a party to the non-production of those books he cannot be surprised if an impression is left in the minds of the people of this country which is hardly favourable to him. We have been told by hon. Members opposite that the Irish Members have been guilty of political crimes, but not of actual crime. Well, Sir, I consider that that is a great admission on the part of hon. Gentlemen opposite, and that, morally speaking, it denotes a distinction without very much difference. It means that the dupes of hon. Gentlemen below the Gangway have committed crimes; whereas the hon. Gentlemen themselves, who have preached intimidation with a full knowledge of the effect which that intimidation would produce, may take shelter behind the actual commission of the offence. The right hon. Gentleman the Member for Mid Lothian, and other Gentlemen opposite, have contended that all this is ancient history, and that the Nationalist Members from Ireland have now turned over a new leaf and become reformed characters. But is it such very ancient history? I have already explained, and hon. Members know perfectly well, what took place at the Chicago Convention in 1886; and if you refer to the evidence of the hon. Member for Cork as taken before the Commission you will find that although hon. Members below the Gangway have tried to explain that what was done was produced by the action of secret societies, the hon. Member for Cork said distinctly that secret societies had ceased to exist in 1881. Therefore, I maintain that if the hon. Member for Cork was correct in that assertion the secret societies which have produced the offences of which we have heard must have been formed since the year 1881. Now, with regard to this evidence, the hon. Member for Cork was certainly placed in a very awkward predicament. The hon. Member for Cork comes to this House in January, 1881, and asserts that secret societies did not exist in Ireland at that time; but he afterwards gives evidence before the Commission, and says that the statement he then made in this House was made with the distinct intention of misleading the House of Commons, and that, in point of fact, it was absolutely false. The Commissioners, after duly considering the evidence for and against, say distinctly they are inclined to believe that the hon. Member for Cork was perfectly correct in January, 1881, when he said that secret societies did not then exist in Ireland; and the House will see the natural conclusion which we draw from the finding of the Commissioners, namely, that they are not able to believe the word of the hon. Member for Cork when he swore he had come down to the House with the intention stated. Never did the right hon. Gentleman the Member for Mid Lothian make a truer statement than when he said in this House that crime

dogged the steps of the Land League; and never did the right hon. Gentleman the Member for Derby (Sir W. Harcourt) make a truer statement than when he said that the National League was the direct successor of the Land League. And never did the latter right hon. Gentleman better echo the opinion which I hold on this subject than when he said in this House, on the 3rd March, 1881—

"To-morrow every subject of the Queen will know that the doctrine of the Land League is the doctrine of treason and assassination."

The right hon. Gentleman the Member for Derby continued—

"Sir, I think it is my duty to tell them what I know—that the Land League is an organisation which depends on the support of the Fenian conspiracy."

Well, Sir, the Commissioners endorsed the arguments of the right hon. Gentleman. They found, on p. 97 of their Report, that—

"The National League, like the Ladies Land League, was substantially the old Land League under another name."

That is to say, pursuing the same tactics, governed by the same methods, and following the same chiefs. Well, then, I say that if the right hon. Gentleman the Member for Derby, with all the weight of his great authority as head at the time being of one of the chief Departments of the State, and also as a Member of the Cabinet, could come here and state as his deliberate opinion that the Land League was supported by a Fenian conspiracy, how in this year, 1890, when the right hon. Gentleman is in a position of greater freedom and less responsibility, can he reconcile it with his conscience to countenance and support that organisation which he has previously declared as being upheld by the Fenian conspiracy? The right hon. Gentleman is never weary of telling us that he obeys the same chief and wears the same uniform as that which he put on when he first enlisted. I will admit, for the sake of argument, that the right hon. Gentleman does follow the same chief; but we who live in the eastern counties have a lively recollection of the right hon. Gentleman describing upon a certain occasion a concoction in which he supposed hon. Members on this side of the House were either stewing or about to stew. I do not know whether, after what happened on Tuesday night, the right hon. Gentleman is content to accept the denial of his Friend the hon. Member for Cork, or whether he is not; but if he does wear the same uniform, all I can say is that, in my opinion, it is so very much stained by the concoction he so graphically described to us in the eastern counties as to be absolutely unrecognisable by the most careful observer. This, Sir, is not a Party question. It is a National question. And it is one which most vitally affects the interests of this country. I believe there are many hon. Gentlemen on that side of the House who are not so blinded by prejudice as to shut their eyes to many facts which are proved in this Report after the most searching scrutiny and based on the most careful evidence. I believe there are many who have conscientiously believed that the hon. Gentlemen, the so-called leaders of National feeling and aspiration in Ireland, have hitherto conducted their agitation upon Constitutional lines. To any such I say that the verdict of the Commissioners must be a rude awakening, And believing, as I do, that the vast majority of the people are loyal to the Queen and faithful to the Constitution, I would appeal to hon. Gentlemen who represent the views of the people in this House to hesitate before they virtually give their support and countenance to an Organisation which has been found to be a criminal conspiracy, and before they throw in their lot with a Party, some of whom have been shown to be false to those traditions which have always guided those whose duty and whose inestimable privilege it has been to control the destinies of this country.

(3.17.) The Earl of CAVAN (Somerset, S.): Mr. Speaker, I fully endorse what has fallen from the hon. Gentleman opposite, that this is not a Party question. But I leave it to the House to determine whether, in the speech he has delivered, he has altogether succeeded in separating himself from the Party to which he belongs. I, Sir, occupy in this House a somewhat intermediate position. It has been my fortune to write letters to the newspapers, and to speak in distinct condemnation of language which has been used by my hon. Friends below the Gangway, and that, Sir, at a time when we were united, in 1886. Occupying what I call this intermediate position, I hope the House will pardon me if I am unable to follow on the lines of the hon.

Gentlemen opposite, and if I state that no Party politics should be introduced. After all, are there not many points on which both sides of the House are agreed? Whatever may be said of the appointment of the Judges, I doubt not the argument of my hon. Friend will be very ably answered by the Attorney General in a short time, showing absolute impartiality of the tribunal. I will not go into that question. For myself, I am content to think that they did their duty to the best of their ability; that they were earnest in their endeavours to find out the truth; and that they were zealous and painstaking. Of course, being mortals, and having been brought up in their youth to certain political opinions, it is unreasonable to suppose that they could absolutely divest themselves of the whole of their early education. Nevertheless, taking into consideration the fact that they were mortals like ourselves, I do venture to think that, in their judgment, they have endeavoured to be as just and as impartial as it was possible for any men to be under the circumstances. There may have been some inconvenience in reference to the appointment of the Judges; there was, undoubtedly, inconvenience in the length of their sittings; and I appeal to hon. Gentlemen opposite whether there was not inconvenience in the appointment of the Attorney General? I congratulate hon. Gentlemen opposite that in their Attorney General they had a man of extraordinary powers; a man who was not only able to fill most ably his position as advocate for the *Times*, but who was able to fulfil very largely the duties of Attorney General. But was there not, after all, some inconvenience in the fact of even so powerful a man as the Attorney General having to bestow so much time on a matter which was purely one-sided? Was there not inconvenience in his being necessarily absent from his post? That is a question which I will leave to hon. Gentlemen opposite. But I will not labour this point. The Commission was constituted to inquire into certain allegations, but they were not to take into account philanthropic or political considerations, which might have led to many of those actions which, in the main, have been condemned by that Commission. At any rate, whether or not that course was inconvenient, we have the Report before us, and something must be done. The hon. Gentleman opposite seems to think that when charges against the hon. Member for Cork have been disproved sufficient reparation has been made to him by the apology, or what I prefer to call the explanation, of the Attorney General in Court and the speech of the Leader of the House. We on this side of the House think something further is due to the hon. Member; and if there is any difference between us, it is simply that we should err on the side of generosity in regard to the allegations that were made. I hope that is not an unworthy principle to follow. There are false charges and there are true charges. In regard to the false charges, we are coming tolerably close to each other when we say that some reparation ought to be made. Hon. Gentlemen opposite think sufficient reparation has been made; we take a more generous view. As to the true charges, I ask if there are not certain precedents which we might look to with advantage? Are these Gentlemen the only persons in the House of Commons who have used treasonable language? Are they the only persons who on occasions have been guilty of close alliance with conspirators and treasonable persons? I think a right hon. Colleague of mine was once charged with having been in somewhat close alliance with a treasonable person and conspirator—I allude to Mazzini. Well, if three Judges had to decide upon his guilt with reference to that alliance, and were to be told that they must ignore all political considerations which surrounded that Gentleman and the conspirator, we should have had very much the same finding as we have now with regard to hon. Members of this House. Then take Garibaldi. Great numbers of us were closely allied with that treasonable person and conspirator. If three Judges had been asked, apart from political and Party considerations, to state their opinions of that close alliance, there would have been a verdict not at all unlike that given in the present case. The Special Commission were unable to look into the political or philanthropic considerations which surrounded the action of hon. Members, and, therefore, it would not do to condemn hon. Members wholesale, as apparently some persons

do. But it may be observed that the instances I have cited are not on all fours with the Irish case. I admit it. The Italian peasantry were much better off than the Irish peasantry; they were better clothed; they were more contented. But let us go to Ireland: is treasonable language not known on that side of the House? What of the words used by the noble Lord, who was leader of this House not so long ago? He said,—

"Ulster will fight, and Ulster will be right,"

and added—

"Wave, Ulster, all thy banners wave,
And charge with all thy chivalry."

Is that language, used by the noble Lord opposite, treasonable or not? Ulster is to charge with all its chivalry against the Queen's troops. That seems to me a treasonable sentiment. Then, again, the hon. and gallant Member for North Armagh used a tolerably strong sentence in this House, and I venture to think his language was as treasonable as any which has been used on this side of the House. I quite admit that the right hon. Gentleman the Member for Bury rebuked the noble Lord in no measured language for the indiscretion he had perpetrated. I regret to state that the sermonette was entirely lost on the sinner to whom it was addressed, and he seemed to be more irate than before. What did the House generally do? The House recognised the political situation. It recognised, that the noble Lord was unaccustomed to an Irish audience, which is naturally more enthusiastic than an English audience, and it refused to take any particular notice of this warm language. In the same way the charges made against hon. Members opposite for the violence of their language need not, I think, be taken too seriously when their political surroundings are considered, and I hold that if we make the generous reparation provided for in the Amendment of the right hon. Gentleman the Member for Mid Lothian, we shall have done all that is necessary. References have been made to the position now taken by the Liberal Party in connection with hon. Members below the Gangway, as compared with that of a few years ago. But the fact is that not only in the years 1881-5, but also when they were the allies of hon. Gentlemen below the Gangway, the strong language used by those hon. Members was denounced by the leaders of the Liberal Party. Strong letters were written condemning the language of my hon. Friend the Member for West Mayo. A letter of this kind appeared in the *Daily News*, and it was followed by one from the right hon. Member for Mid Lothian. It is, therefore, unjust to the Liberal Party to say that they have been in any way party to intemperate speech, which was no doubt uttered under great provocation. I do not think I have made a strong Party speech. I will conclude by asking hon. Members opposite what they would do if a case of this kind arose in a club of which they were members? Suppose accusations had been made against a member of a club and a Committee had been appointed to consider them. If it were found that of these charges the more criminal or serious had been disproved, while some of the minor offences had been brought home, would the question of fairness only be taken into account? Would it not be felt by all the members of the club that even generous treatment should be accorded to such a member? Suppose, further, that some of the offences charged could be attributed to over-zeal for some philanthropic or social purpose, would not this feeling be accentuated? Should we not, as members of the club, willingly have moved in a direction such as that which is indicated in the Amendment of my right hon. Friend? Should we not have erred, if we had erred at all, on the side of generosity? The House of Commons is greater than any club, and in this case the accused Members have atoned for any excesses of which they may have been guilty by long years of suffering. I would, therefore, appeal to hon. Members opposite to show something of the generous spirit to which I have referred, and to deal with the question before them in no Party spirit, but in a spirit of calm and equitable consideration.

*(3.36.) SIR CHARLES LEWIS (Antrim, N.): I desire to congratulate the hon. and noble Lord on the tone of his speech, which was widely different from those which we are accustomed to hear from that Bench, which is usually the seat of the scorner, whether he be the right hon. Gentleman the Member for Derby or the right hon. Gentleman the Member for Mid Lothian, or any other of the right hon. Gentlemen opposite. We are accustomed from that quarter to

hear abuse all round, and we have recently found that for those right hon. Gentlemen abuse is all very well when they were to be the only persons to dispense it. The other night we had a little scene, when the right hon. Gentleman the Member for Derby, who is accustomed to direct his artillery upon his adversaries, receiving in return only a few blows for every dozen or twenty he distributes, showed how unwilling he is, unlike most men, to receive as well as give, as soon as he was sat upon by one of the quietest and mildest of Cabinet Ministers who ever lived. On that occasion the right hon. Gentleman in a passion threw up his cards, if I may so describe the action, and turned round to the Speaker or the other side of the House and said that he was determined not to sit and hear himself abused any longer. For such a man who holds himself out to be the prospective leader of the Liberal Party such a petty and miserable display of temper could not have been by any possibility expected,

*MR. SPEAKER: Order, order! The hon. Member is now exceeding the courtesies of debate.

*SIR C. LEWIS: If that is so, then I will say it was such a display of temper as the House has a right to regret. I was surprised at the tenderness of the right hon. Gentleman's moral feeling. We on this side are accustomed to be clothed with all the bad names which by any possibility can be uttered by a facile tongue; but I consider that on that occasion we had evidence of that dominating spirit in the language of debate which is not fair or critical or in accordance with the rules and customs of the House. I have desired to interpose in this debate because I have taken an attitude on the question which is not common on this side of the House. In May, 1887, I thought it my duty to endeavour to put a spur into Members below the Gangway opposite, who complained so much of the charges having been made against them, and to induce them to take some notice of what had been going on for about three weeks. During the whole of that time it was in their power to take proceedings of one kind or another in the Courts of Justice. But they did not move an inch. I thought this was a grave scandal; but I failed to stir them to any sense of self-respect. I am perfectly aware that the course I then took was not popular on this side of the House. It was my own independent action, and was taken without any particular inquiry as to how such a Motion would be received by the Front Bench. But I believe it has been productive of great good to the country. It has been said that the Commission has proved nothing that was not known before. That may be true; but it has demonstrated what has been disputed before. Every fact stated in this House in condemnation of the system of boycotting used in those days to be contradicted. Thus a great public service has been done, and a vast number of charges have been either disproved or proved. To hear the speeches of hon. Members opposite one would have thought that they had never disputed any of those horrible charges of boycotting leading to crime which have now been proved before the Commission. We know very well that the hon. Member for the Harbour Division of Dublin used to be continually stating that the Land League had condemned the action of branches in promoting boycotting; indeed, the hon. Member was ready generally to contradict everything; but we can now see what has been proved as to actual and criminal breaches of the law. I have spent a good deal of time in considering the genesis of this Amendment. We know from the serious conclaves which were held on the Front Bench opposite before it was actually framed that its genesis was by the right hon. Gentleman the Member for Mid Lothian out of or alongside of the hon. Members for Cork and North-East Cork. The voice is the voice of Jacob, but the hand is the hand of Esau. Is not the red blood ink of a certain section of this House clearly manifest in those heavy anathemas we find on the face of the Amendment? Can anyone believe that such an Amendment would have been produced by the right hon. Gentleman the Member for Mid Lothian in the calmness of his private study, when he bore in mind all his responsibilities as a statesman of great experience. There has, undoubtedly, been great manipulation of it in certain quarters. I will read the Amendment, leaving out only two words, and then I will ask the House some questions on it. Omitting these two words it runs—

"To leave out all the words after 'House,' in line 5, in order to add the words, 'deem it

to be a duty to record its reprobation of the false charges of the gravest and most odious description, based on calumny, which have been brought against Members of this House, and particularly against Mr. Parnell; and, while declaring its satisfaction at the exposure of these calumnies, this House expresses its regret for the wrong inflicted and the suffering and loss endured, through a protracted period, by reason of these acts of flagrant iniquity."

Now that these two words "on forgery" are omitted I venture to say that every part of the Amendment has been over and over again alleged and spoken by the Irish Members against the right hon. Gentleman himself. Did they not endure months of suffering by being shut up in Kilmainham? Did they not endure foul charges made against them when they heard the right hon. Member for Derby say in that House in 1883—"We know that that Party preaches the doctrine of murder and assassination?" Did they not allege that it was a foul and odious charge when the right hon. Gentleman the Member for Mid Lothian said that "crime dogged the steps of the Land League?" Was not that an infamous accusation? Were not these grave charges based on calumny? Have they been atoned for, or withdrawn, or apologised for? No, unless it has been done in any of those quiet conclaves which have led up to the alliance of the Liberals with the Irish Party. A peculiar fact in this matter which this House and the country will not fail to notice is the altogether different manner in which the Report of the Commissioners is now regarded from that in which it was first received. At first the placards of the Nationalist newspapers flared with announcements in large letters of the entire exculpation of the respondents, and the Irish Members were exultant because they had been absolutely acquitted of two of the nine charges brought against them. But they were misled by their eager anticipation of the advantages that the Piggot incident would bring to them, as if the whole of the case rested on that. At first the Judges were all that was good—patient, able, and impartial; they were "noble grave and reverend seigniors." But what are they now? Why, all that is bad, and, figuratively speaking, they have been spat upon by every Nationalist Member. And this arises from the very exigencies of the case. At the first blush certain parts of the case looked favourable and encouraging for hon. Members opposite; but when they looked at the Report as a whole and went through it, especially that part having reference to the charge of encouraging intimidation which led to crime, and persisting in it with knowledge of its effects, their jubilation disappeared, they displayed a very serious air, and a very hang-dog look appeared on their faces, showing that they felt the pinch of the case, and that the result, on the whole, was a very strong and grave judgment against them. I wish now to refer to two or three statements made by the right hon. Gentleman the Member for Mid Lothian. One of the leading statements, which he seemed to repeat over and over again, was that there would have been no Land Act for Ireland if there had been no agitation. But what does the right hon. Gentleman mean by agitation, because the whole point is in that? Does he mean by agitation bringing children out of their houses in the middle of the night and cowardly shooting them in the presence of their parents? To us on this side of the House this convenient, compendious word agitation, as illustrated by the history of the last five or six years in Ireland, consists of acts which led up to assassination, murder, withholding the necessities of life to even poor women in the hour of nature's greatest trial, by refusing wood for a coffin in which to bury a murdered person, and mutilating cattle. That is the state of things the right hon. Gentleman euphoniously calls agitation. Last night, too, we had an illustration of the very tender way in which the right hon. Gentleman the Member for Wolverhampton went over the same ground when he tried to lead the House to believe that all the Judges meant by intimidation which led to crime was the ordinary system of boycotting; whereas he knew at the same time that the most disgraceful transactions, the most cruel, horrible, and wicked acts had been proved before the Commission. What is the difference, I will ask, between murder committed with a knife on the spur of the moment and murder committed through months of wickedness and persecution, and by withholding the necessaries of life? We have heard it said *ad nauseam* by the right hon. Gentleman the Member for Mid Lothian that there is no

criminal offence in boycotting. No criminal offence in boycotting as it had been carried out for years in Ireland and as set forth in the Report of the Judges! I do not hesitate to say that men have been sentenced to long periods of transportation for offences not more heinous, morally or legally, than those proved against some of the persons charged in the Judges' Report. As to the statement that there would have been no Land Act in 1881 if there had been no agitation, I should like to ask whether the murder of Lord Mountmorres in 1880 was part of that agitation? We have been distinctly told in other places that that murder was one of the causes of the introduction of that Land Act, although the right hon. Gentleman opposite is too clever a debater himself to make that statement here. I was greatly astonished to hear the attempt made by the right hon. Gentlemen the Members for Mid Lothian and Wolverhampton to compare the agitation in Ireland with the agitation about the Reform Bill in 1831. Is there a man in this House who thinks the wretched midnight harassing of poor people, the midnight murders with gun and dagger, the shooting of children in the face of their parents, the cruel and cowardly ill-usage and persecution of defenceless women, and the brutal maiming of cattle that have been perpetrated in Ireland, can be reasonably compared for a moment with the agitation in England at the time of the Reform Bill? It is an insult to hon. Members to suggest it. The right hon. Gentleman the Member for Mid Lothian could hardly have consulted some of his legal friends when, referring to the charge against the respondents of paying money for the assistance of undoubted criminals, he said that £12 only would cover the iniquity of such acts as that described in Timothy Horan's letter. Only £12! May not those be taken as samples merely? Where were all the books in which the money expended was entered? Four small books only, as the Commissioners have reported, were all that could be found of the numerous books of the Land League. Egan, who took them to Paris, might have been called and examined, but he carefully kept out of the box. Considering the difficulties of the case, considering the difficulties the prosecutors and the Court have to contend with, I wonder that so much was done and proved as was accomplished, especially in the absence of so many books and papers necessary to the investigation. In this Horan's case it is reported by the Commissioners that this letter was found on a chest of drawers or something in the house of one of the clerks of the League; it was not intended to be found or to be submitted to inspection, but was found accidentally when the house was being swept out. Two letters are all that have been seen out of the sackfuls of paper described as being removed directly the Land League was suppressed. The extent of their correspondence has been proved by the hon. Member for Queen's County, who was temporarily put in charge of that wonderful nest of villany the office of the League in Sackville Street, and who had found it impossible to put things in order because of the enormous amount of correspondence and the carelessness with which it had been treated. It is said that Horan's case was a casual one. But does not any man of business see, from its style and mode of being treated, that it must have been a telling incident of a system, and that it is not a stray document relating to one particular case? I have met John Ferguson, whose initials are endorsed on the letter, during the time I was Member for Derry; I know his great ability and the trust reposed in him by his Party on account of his position, and great intelligence and power as a man of business. John Ferguson has said that it was not a solitary letter, but one of several which he himself had manipulated, and it is certainly illustrated by the other facts that this was not a solitary instance, but part of a system of giving comfort and pay for crime, which in itself shows that there was every reason why evidence of this great offence should be destroyed. If this letter had not been accidentally preserved all this would have passed into that oblivion of which hon. Members opposite are so fond when they take refuge under their *non mi ricordo.* The Commissioners report in words which form the basis of my charge that there has been wilful, determined, and successful suppression of evidence from first to last, in order to prevent the truth from being known. It has failed to a great extent, I am happy to know, though it has succeeded in some cases. Then in regard to this deliberate charge of keep-

ing back witnesses, what is the first fact I refer to? Who went away to Australia before he could be called as a witness? Why, the second principal defendant, the hon. Member for East Mayo. Why did that hon. Member find it convenient or necessary for his health to go away at that particular moment, when he could have been called at any time? [*Laughter.*] Hon. Members laugh, but what would a Judge think if a witness under no pressure of law took himself off to the uttermost parts of the world?

MR. SEXTON (Belfast, W.): When the hon. Member makes this reference to my hon. Friend, I may be allowed to say that my hon. Friend before his departure submitted himself to the decision of the Court, and the Court made no objection to his leaving. [*Cries of* "withdraw."]

*SIR C. LEWIS: It is not worth while, for the simple reason that there is a complete answer to that; the hon. Member for East Mayo went to the Court and asked whether they wished to ask him any questions before the Court had got into the evidence, and before it was the duty of the prosecuting counsel so called to ask any questions. How could any questions be asked before the case was developed? This is one of the subterfuges to which we are accustomed upon this subject. Who was the next person? This is more peculiar still, because I have always connected the hon. Member for East Mayo with the idea of a fair, bold, outspoken opponent, from whom we have heard words that excited seething indignation in the mind even of the right hon. Member for Derby. I can recollect the latter stood up in this House and made use use of remarks I dare not repeat, as the Member for Mayo is not here, they are so odious, so unfortunate. I always looked upon him as an honourable, a bold, straightforward man, even if he felt he was committing a crime. But I come to another man, the hon. Member for Fermanagh, who for a long time was the secretary of the hon. Member for Cork, haunted the Court from day to day; his name was mentioned over and over again, and I think I am not stating what is untrue when I say that the hon. and learned Member for South Hackney undertook to call the hon. Member.

MR. ASQUITH (Fife, East): As the hon. and learned Member for South Hackney is not here, may I be allowed to say that that is not the case.

*SIR C. LEWIS: I should put it, perhaps, in another form. I believe the hon. and learned Member for South Hackney undertook to call all the respondents, and perhaps the hon. and learned Member will correct me if I say giving such an undertaking included the hon. Member for Fermanagh. [MR. ASQUITH: No.] Not contradicted with any great vigour. At all events, there was an impression that this was the intention. But the hon. and learned Gentleman, fresh in the recollection of his brief, will not deny this, that it was sworn in the evidence before the Commission that the hon. Member for Fermanagh was a party to the removal of the books from Sackville-street when the Land League was suppressed. Was it not in the highest degree material when, at every turn, the necessity for the evidence contained in the books arose?

*MR. H. CAMPBELL (Fermanagh, S.): As the hon. Member has referred to my name in connection with a statement which is not borne out by the evidence, I think it is only right to myself that I should instantly rise and inform the House that not only is there no evidence given that I removed the books or had anything to do with them, but that no statement at all was put before the Court of such an occurrence. Sir, I never had the books under my control at any period of my life; I did not remove them from Dublin, nor did I have them in my hands at any time, and no evidence of the kind that I had the books under my control was given before the Court. Further, the League clerk Farragher, who appeared before the Court to give evidence, was asked directly by the counsel for the *Times* whether it was true that I was present at the removal of the books, and his answer was that not only did I not remove the books, but that I was not present in Dublin on the occasion when they were removed. So much, therefore, for the statement of the hon. Baronet, which is similar to that made by the hon. Member for North-West Ham the other night.

*SIR C. LEWIS: Perhaps one of my hon. Friends will find me the reference in the Report—about half-way through—and I trust the note in my hand will not be contradicted by the original docu-

ment. I will read the words to the House—

"The Land League was suppressed on October 18, 1881, and thereupon most of the books were removed to London by Messrs. Campbell, M.P., and P. J. Sheridan."

*MR. H. CAMPBELL: I would like to ask the hon. Member from whose evidence he is reading?

*SIR C. LEWIS: I am quoting from the Report of the Commission.

*MR. H. CAMPBELL: I can only appeal to the House to accept my word of honour for what I have stated. There was no evidence given by any person summoned before the Commissioners that I removed those books. A letter was found in the batch of letters given up by Phillips from Dr. Kenny to me, written a day or two after the suppression of the League in 1881.

*SIR C. LEWIS: I rise to order, Sir. Am I to be interrupted for five minutes with what is entirely new matter?

*MR. SPEAKER: I understood that a statement having been made with regard to evidence concerning the hon. Member for Fermanagh, the hon. Member states that no such evidence was given. I think that the House will feel that the hon. Member has a right to make an explanation on a personal matter. He will not exceed an explanation of this particular matter.

*MR. H. CAMPBELL: I will be as brief as I can, Sir, and I am sorry to interrupt the hon. Member, but I am not responsible. A letter was written to me by Dr. Kenny a day or two after the suppression of the Land League. I was then at Holyhead with the hon. Member for Donegal. In that letter Dr. Kenny informed me that the books of the League had been sent over to Liverpool, and that as we—that is, Mr. Biggar, Mr. O'Connor, and myself—were expected to go to London and endeavour to direct the Land League Organisation from there, I should go to Liverpool and bring the books with me from there. In reply to that letter I wrote that I would go with the others on to London, call at Liverpool, and bring the books with me. I went to Liverpool and endeavoured to get the books, but the clerk sent from Dublin refused positively to let me have anything to do with them, and I was so disgusted and annoyed that I took no further steps in the matter. I never saw the books then, and I have never seen them since, nor had anything to do with them. To further clear up this matter I may add these very books which were taken to Liverpool were afterwards produced in Court before the Commissioners. They are the books which have been before the Commissioners.

*SIR C. LEWIS: I have no objection, but it is necessary to go over the case again. I am not going to be put off by this explanation, for the simple reason that it has never been given before. During the sittings of the Commission the hon. Member was frequently in Court. He was the right-hand man of the hon. Member for Cork City, had his confidence, and consorted with him in open Court, and yet up to the present moment this explanation, so vital in the interests of those who from the first have been charged with spiriting away the books, up to the present moment this vital explanation has never been given. Now it is given for the purpose of interrupting an opponent and making him stray from his line of argument. I maintain that if the books had been forthcoming every one of the charges which have failed would in all probability have been proved. I will read some of the findings of the Judges, and show how material to the subjects investigated was the appearance of these books. The Judges say—

"We find that the respondents did enter into a conspiracy by a system of coercion and intimidation to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled the 'English garrison.'"

This is the general charge, and how would the lines have been filled up? I think it is plain that many persons employed in this system of coercion and intimidation would, in the natural course of events, have many charges to make against the Land League, and the books would have shown how they were met. The fourth finding is—

"That the repondents did disseminate the *Irish World* and other newspapers tending to incite to sedition and the commission of other crime."

The fact of the circulation of the *Irish World* is proved beyond dispute, but, mark you, would it not have been matter of grave importance to have proved before the Commission that some thousands of pounds were spent in this

particular form of attack against the institutions of the country and the lives and liberties of individuals. But that is not proved, because, owing to the peculiar "hunt the slipper" kind of operation the hon. Member had described, the books have disappeared from view, and are not available for reference. In the fifth finding the Judges say—

"We find that it has not been proved that the respondents made payments for the purpose of inciting persons to commit crime."

What a flood of light might have been thrown upon this point by the books! But no; the books, with the exception of four worthless small ones, have disappeared into thin air, unless they are still in Paris in charge of Mr. Egan. [An hon. MEMBER: He is in Chili.] I know all about it. The production of the books was also a matter of great consequence in respect of the points in the seventh finding—

"We find that the respondents did defend persons charged with agrarian crime, and supported their families, but that it has not been proved that they subscribed to testimonials for, or were intimately associated with, notorious criminals, or that they made payments to procure the escape of criminals from justice."

The books, however, were not produced; every door through which information might come was closed by the League; every hand was shut, every mouth was dumb. What wonder, then, that some of the charges broke down, that some of the bolts aimed at the League missed their mark? The real wonder is that it has been found possible to prove so much. It says much for the intelligence, power, and legal acuteness that wormed so much out of unwilling witnesses. I pass on to the eighth finding—

"We find, as to the allegation that the respondents made payments to compensate persons who had been injured in the commission of crime, that they did make such payments."

"Oh!" said the right hon. Gentleman the Member for Mid Lothian, "there is very little evidence in support of this, only a small matter of £12." The right hon. Member's view seems to be *De non apparentibus et non existentibus eadem est ratio.* Because further proof of such payments cannot be found in the National League documents the hon. Gentleman alleges that none were made. But how could such proof be procured when the National League books were sent away?

*MR. T. HARRINGTON (Dublin, Harbour): May I be allowed to say that when the hon. Member says the National League books were sent out of the way he is making a statement not justified by the Report. Every document of the League extending over a period of eight years was presented to the Committee, examined, and nothing found missing.

*SIR C. LEWIS: Taking advantage of a slip of the tongue, the hon. Member endeavours to lead off on a false scent. National League was a verbal slip; I should have said Land League.

*MR. SPEAKER: The hon. Baronet, I think, will see that it is not right to say of a Member who makes an explanation that he is endeavouring to lead the House off on a false scent.

*SIR C. LEWIS: I do not claim immunity from sin, and if I passed the threshold of perfect propriety, I am happy to be set right by you, Sir. I pass to the ninth finding, as to the receipt of memorandums by respondents from persons in America, known advocates of crime. There again the Commissioners would have had assistance from the books. Hundreds of thousands of pounds have been contributed chiefly from America. Where did it come from? Had the books been produced incriminating matter of the utmost importance in connection with this ninth finding might have been disclosed. Unfortunately, the case does not end here. The accounts were traced to Messrs. Monro, Parisian bankers, whose *clientèle*, by the way, consists mainly of American visitors. They were asked by the Commissioners' representative to produce the accounts for his inspection. It was a reasonable request. The greatest care was taken throughout that no private matters should be disclosed; the secretary was always put forward to see fair-play. It was a reasonable request, but Messrs. Monro refused to accede to it, and they were perfectly within their right in so doing. Had they consented, I suppose the results would have been somewhat scarifying. The Commissioners then asked Mr. Parnell to authorise Messrs. Monro to produce the accounts. What, in the circumstances, would any honourable man unjustly charged with crime have done? Above all, what might be expected from

a man on whom sitting here rests the responsibility of assisting in making laws for the government of his countrymen? Would he not have said, "Yes, by all means. Here is the authority"? What was the answer of the Member for Cork? "I refuse to give it." A kind of game of hunt the slipper or thimblerigging was being played by the clerks in the office with the books, and the man who had the key coolly refused to hand it over to square off the accounts.

MR. SEXTON: As my hon. Friend the Member for Cork is absent, and the Report does not state the reason, I will explain in one sentence why my hon. Friend refused. He declined to place a statement of the financial resources of his Party at the disposal of his political opponents.

*SIR C. LEWIS: If the hon. Member thinks that my poor voice will not be able to stand up against these interruptions he is mistaken. I shall proceed till I have concluded. To prove what I have said I will quote from the Report, page 97—

> "We, therefore, requested Mr. Parnell to give authority to Messrs. Monro to produce the accounts relating to the Land League. This he refused to do."

This is a point blank refusal by the Member for Cork to an application than which nothing could be more proper in a Court of Justice. The Commissioners concluded—

> "On this subject we may say generally that we have not received from Mr. Parnell and the officers of the Land League the assistance we were entitled to expect in the investigation of the Land League accounts, in order that it might be seen how its funds were expended."

When we find an institution like the Land League, which professes to be the Government of Ireland, which has enormous funds provided by persons in America who are not distinguished by their loyalty, so anxious to prevent disclosure and punishment when it is due, I think we may draw our own inferences. There is, however, a still more painful part of the subject. There is one hon. Member who has always stood high in the ranks of the Home Rule Party, and high in the estimation of his opponents, the hon. Member who is my successor in the representation of Derry (Mr. Justin M'Carthy). [*Home Rule cheers and laughter.*] Oh, there is no sting left in my mind. I had not to wait long before I found another constituency, and I have no doubt I should be well received in Derry if I went back there now. The part of the case with which I wish to deal will be fully appreciated by lawyers. The Commissioners, in analogy to the practice of Courts of Justice, made an order on the hon. Member for Derry to make an affidavit of documents and books which he had in his possession. The hon. Member for Derry made an affidavit, and will it be believed that this affidavit was to the effect that the hon. Member had in his possession the books, especially the books of account, for the years 1881-2, and, I think, 1883? [MR. SEXTON: He did not swear that, Sir. C. Lewis.] Then the able gentleman who acted as solicitor for the defendants got up and said that there had been some mistake. After an affidavit of this character by a Member of the Legislature, it was said in Court that there had been some mistake. These books have been run after by the hon. Member for Fermanagh (Mr. H. Campbell), but have never been found since they were in the hands or power of the hon. Member for Derry. Yet these books were the very books which would have elucidated the truth and shown the expenditure of the Land League in 1881-2, and whether those who conducted that organisation were honest men or villains. This, of course, was looked upon most gravely by the Judges. They had been used all their lives to Courts of Justice, and, knowing the importance of an affidavit of documents and their production, they of course expected that some decent excuse would have been tendered before them to explain this mysterious disappearance of the books. Every day some explaination was expected, but no explanation came. In the face of the country this surely is one of the charges which have to be answered. Instead of our being taken back two centuries or to the Reform Bill, let us have some answer as to the present, and some elucidation of this wonderful spiriting away of the evidence.

MR. COBB (Warwick, S.E. Rugby): I rise to order on a point of fact, because the hon. Member for Derry is not here.

*MR. SPEAKER: Order, order! The hon. Member for Derry will have an opportunity hereafter of speaking.

*SIR C. LEWIS: When the hon. Member obtains the opportunity of moving

his Amendment he will be able to offer an explanation. Well, this was the last scene in this "strange eventful history." Several people were engaged in this little *faux pas*. There was Mr. Alexander Phillips, who was so useful in connection with the two sums of £6. Then there were Mr. Mahony and Miss Stritch, who played important parts in the wonderful drama. The Judges took a great deal of trouble in the matter, but at last got tired of the long series of explanations interjected like the interruptions to which I have been subjected to-day. It was stated that the list of books came from Mr. Brady. Where was Mr. Brady? He was frequently in Court, and might have afforded information. But they never put Mr. Brady into the box. Any jury would, under such circumstances, have come to the conclusion that they had the books and wilfully refused to produce them. Now, Sir, I have taken a course in regard to these matters which has exposed me to some criticism. I hope my right hon. Friends below me will forgive me after such a long time. I appeal especially to the Chancellor of the Exchequer (Mr. Goschen), and remind him that I have belonged to the Conservative Party for very many years, and have made great sacrifices on its behalf. In regard to this matter, I have scarcely received justice at the hands of the Chancellor of the Exchequer. The right hon. Gentleman, himself a neophyte of the Conservative Party, did not think it wrong to go to his constituents and give vent to gibes against me for the course I took in moving the Privilege Motion which led to the suggestion made opposite for a Committee to inquire into these charges against the hon. Member for Cork and his friends. The right hon. Gentleman might have been more cautious. He might have left unsaid what he then said, for it is now rising up in pleasant judgment against him. When I made my Motion in May, 1887, I stood almost alone, and had not the support of half a dozen Members on this side of the House; but that Motion has been justified by events. Before that hon. Gentlemen opposite had remained perfectly silent under the charges made against them; but the Motion applied the necessary motive-force, and directly led to the appointment of this Commission. From the inquiry carried out by the Commissioners both the country and the Government and even hon. Members opposite have derived great benefit. No doubt hon. Members have been able to clear themselves of some charges brought against them; but the Commission has been the means of unmasking a gross conspiracy, and of showing how Ireland has been the victim of gross intrigues hatched in some cases across the Atlantic. The Commission has set forth plainly that there has been for a long time, in existence a conspiracy against the State, carried out by all sorts of contrivances, offences, and intimidation. If the country gets released from this conspiracy by the unparalleled administration of the Chief Secretary, it will be because he had had the courage to repel with scorn the attacks made upon him by hon. Members opposite. We are fighting in a great and a holy cause. [*Home Rule laughter.*] Yes, a holy cause, for it is one which has for its object to throw the ægis of the State over every private individual, and to bring criminals to justice, not only at the criminal bar, but at the bar of public opinion; and if we fail in any of these endeavours, it will not be because we have been untrue to the cause and to the duty which we owe to the citizens of the country, but because the commission of crime has been followed by something far more cute and clever, namely, by a gross and deliberate withholding of evidence that ought to have been willingly produced instead of carefully concealed and even destroyed.

*(4.50.) Mr. BRYCE (Aberdeen, S.): The hon. Member has spoken of a holy cause; but seldom has a holy cause been supported in a less scrupulous manner, and with such a total want of taste and good feeling as that shown by him. The hon. Member complained of interruptions; but he drew every one of these upon himself by his misstatements—innocent misstatements possibly, but misstatements which care would have prevented. He quoted passages of the Report without their context, and in a manner to put a false and improper sense upon what the Commissioners really said; and I thought that if the Commissioners had been present, they would have risen repeatedly to correct his perversions of their findings. But, turning away from the bitter and painful spirit which the hon. Mem-

ber has introduced into the debate, let me remind the House of the main issue before it. There is a Motion and an Amendment. The Motion asks the House to adopt the Report. The Amendment asks the House to express its opinion with regard to certain portions of the Report. What is the meaning of adopting the Report? It means that the House approves the Report in all its fulness, and considers that it deals adequately and satisfactorily with the matters referred to the Commission. Is the House in that sense prepared to adopt the Report? It must be borne in mind, as the First Lord of the Treasury pointed out, that this Commission is quite unique and without precedent. Its appointment was, in fact, an abdication by the House of one of its own duties, that of guarding the character of its own Members. But, irrespective of this, there is an omission in the Report of the Commissioners which makes it an unsatisfactory document. The Commissioners themselves state that they had not deemed it their duty to inquire whether the conduct of which hon. Members were accused could be palliated or condoned by the circumstances of the time. They put aside a vast mass of matter as being fit for the consideration of historians and politicians, but not for their own. This, as I shall attempt to show, prevents their Report from being a complete or adequate deliverance, such as this House can adopt. I do not desire to repeat the distinction that has been drawn between the personal and the political charges. But it must be admitted that the questions referred to the Commissioners were partly questions of bare fact and partly questions in which the circumstances surrounding the bare facts formed the main element of inquiry, and without investigating which the examination of bare facts was of little value. What were the questions of bare fact to be investigated? Did the hon. Member for Cork write certain letters? Did he and his friends incite to the commission of crime? Were the respondents privy to the commission of crime, and did they aid criminals to escape? These were questions which were, no doubt, proper for the Commissioners to decide. It was, indeed, for these questions that the Commission was appointed. It was on account of these charges that the hon. Member was challenged to bring an action, and these were indeed the only charges about which there was any substantial doubt. The other matters of fact, such as the existence of boycotting and the speeches in which it had been advocated or defended, were matters about which there was, practically, no controversy. The Commissioners have made a deliverance to the effect that the Member for Cork did not write the letters; that the respondents did not incite to crime; that they were not privy to murders; that they did not aid criminals to escape; that the Land League did make some payments to persons accused of crime, and did compensate those injured, though they have given these two last deliverances on very scanty evidence and stretched very widely in giving them the dangerous doctrine of constructive liability. I am not now arguing whether these findings are right or not. I am putting it to the House that as respects these matters we have a Report that is satisfactory, because plain and clear, and addressed to questions of bare and simple fact. Were we only to adopt the findings of the Commission simply dealing with facts like these, I should support the Motion; but looking at the other side of the question, can we give a similar answer? The other questions are questions that involve not merely points of bare fact, but conduct extending over a series of years and intricate matters of policy. "Did the respondents combine against the payment of rent?" "Did they abuse the power which they wielded over Irish public opinion?" because that is what is meant by the charge of boycotting. "Did they cooperate with the American Party of violence, or did they profit by the help of the American Party of violence?" and "Did they aim at the independence of Ireland?" These are in a certain sense questions of fact; but the bare fact goes but a little way in the determination of the character of the conduct which the respondents are found to have pursued. The question of fact does not imply moral or even legal judgment, because I appeal to lawyers whether these are not questions upon which it would be in the power of a jury, if certain facts were proved, nevertheless to return a verdict of not guilty, seeing that the issue of guilty or not guilty leaves it to the jury to take into view all the surrounding circumstances, and

pronounce whether, under these circumstances, there is guilt or not. A combination may be justifiable or not according to circumstances; some circumstances would make it a criminal conspiracy, and others would make it lawful combination; and to call a combination a conspiracy does not make it a guilty combination unless the verdict of the jury declares it to be so. It is the same as regards boycotting and intimidation. They are what may be called a misuse of public opinion. The power of public opinion is one to which we are all amenable, and without which, acting over and above the law, and often in cases which law cannot reach, society could not get on for a day. The charge made here is really that these respondents tried before the Commission have carried that power of public opinion too far; that instead of allowing people their legitimate and natural freedom they have directed popular feeling so as to deprive certain persons of the exercise of that freedom. But that is a question of degree. Boycotting is not like burglary, which is wrong *per se*; the culpability of it depends upon the extent to which it is carried, the object it is designed to effect, and the attendant circumstances. I do not deny that boycotting and intimidation were in Ireland pushed beyond what could be justified; but I say it is absurd to examine into the question of boycotting and intimidation unless you look at motives and aims. At the time when Austria held part of Italy, Austrian officials and officers were boycotted in Italy, and all free countries sympathised with the Italians. The boycotting was necessary, because the Italians were under the law of force, which was opposed to the national good, and no weapons, except those of extra legal action, remained to the people. I do not say the case is exactly parallel with that of Ireland; but, still, it is an instance in which boycotting was justifiable, and which shows that you cannot determine without examination whether it is or not. I will even go so far as to say that in like manner the conduct of the *Times* in this particular matter—grossly culpable as it was—ought to be judged by the consideration of all the circumstances in which it took the action it did. If the *Times* had been endeavouring to do the hon. Member for Cork a private wrong from purely private motives, if it had published the letters out of sheer personal private malice, with the object of taking away his personal and private character, we should have been disposed to deal with it even more severely than we now are. I knew the late Mr. Mac Donald, and I believe that Mr. Mac Donald and those others who acted with him—I do not include Houston among them, for a deeper and darker stain rests upon him—would have been incapable of acting as they did in the publication of the forgeries if they had been animated by a desire born of private malice or selfish private interest. They acted as they did because they were the victims of an invincible political prejudice against the Irish cause and its leaders; and therefore they were predisposed to believe everything that was bad of them, and to assume in every case of doubt that it must be decided against the Irish Members. I do not put that conduct, bad as it was, upon quite the same level as conduct prompted by private malice. In condemning severely the conduct of the *Times*, we must judge it exactly as we judge the extreme things done and said by some of the respondents; that is to say, we must remember that in the prosecution of a political contest many unjustifiable things are done in heat, which cannot be considered apart from the circumstances under which they were done. I will not pursue the other points on which it may be shown that the findings of the Commissioners on those questions which were not of bare fact, but involved the circumstances of the time, are deprived of the value which might have attached to them. I will, in passing, only give one single instance. The Commissioners find that the action of the Land League had been particularly energetic in the Counties of Galway, Mayo, and Sligo, where also there were large numbers of outrages, and they attribute the outrages to the action of the Land League; but they do not advert to the fact that evictions had been numerous in those counties and distress had been great owing to bad harvests, although this was obviously the ultimate cause both of evictions and of outrages. Such omissions reduce the value of the conclusions of the Commissioners, and, sometimes wholly destroy them, and therefore the House cannot accept their findings as an adequate treatment of the case. Now I come to the

Amendment. It is the object of the Amendment to make the Report intelligible and fairly and justly complete by adding something to it to qualify it. If we do not adopt the Report what course can we adopt? The natural course is to express the feeling which the perusal of it forces upon our minds. Some eminent man once said that when one is in doubt in a moment of delicacy as to what course to take the right course to adopt was to do the natural thing, to say or do what the spontaneous impulse of the moment suggested. What is it our honour and conscience suggests to us with regard to this Report? It is a pity there is not prefixed to the Report of the Commissioners the form in which the charges preferred against the Irish Members were made, for without a careful perusal of those abominable and dreadful charges it is impossible to adequately to feel the contrast between them and the findings on the charges formulated in the Report of the Commissioners. It is most interesting to compare these terrible charges with the form which the charges took when they had passed through the refrigerating medium of lawyers' minds and came to be stated in the beginning of this Report. But anyone making that comparison, and then looking to the findings in the Report, can only feel one impulse with regard to the course which should now be taken, and that is to express intense regret that such charges were ever made against Members of the House of Commons, and satisfaction that they have been completely disproved. If so, why should we shrink from putting our feelings of satisfaction on record? We are told that the acquittals do not stand alone, and that there are serious condemnations on other counts in the indictment brought against the Members from Ireland. I will therefore ask the House to examine the other findings and see whether they contain anything to prevent us expressing satisfaction with the acquittal on the gravest charges. One of the findings is that hon. Members tolerated the language of the party of violence in America, and profited by subscriptions from that party. In connection with that, I would like to ask hon. Members whether one of the most difficult positions which we have to decide is not how far we can co-operate with those with whom we agree in part and disagreed in part. Let us take the case of the National movement in Italy. The leaders of that movement were obliged to carry on a struggle against Austrian and domestic oppressors for many years. They had to carry on that struggle by means of conspiracy, and had frequently to plan insurrection. There were also in Italy secret conspiracies of violent, but patriotic, men, who went by the name of Carbonari, whose practice it was to act occasionally by assassination; and it was frequently necessary for men so great and good as Mazzini to know what was being done by, and thus to incur the reproach of being more or less connected with, the Carbonari. It will not, I think, be said that Mazzini and his associates are less entitled to the grateful remembrance of their country because they were sometimes obliged to know, and were not always able to prevent, the regrettable acts of these violent and dangerous members of the National Party. I really think this question of co-operation with persons whom they do not quite agree with must have frequently been in the minds of leaders of Parties in this House. Gentlemen opposite must often have had to consider, during 1884 and 1885, how far they could co-operate with the Irish Members. When the Liberals sat on the Ministerial side they were in the habit of seeing Members of the Opposition and of the Fourth Party frequently holding sweet converse with the Irish Members, and hatching little plots with them, whose meaning was revealed in a surprise Division on the following day, like the Division on the expedition to Tokar. There must often have been grave questions of conscience presented to the minds of hon. Gentlemen opposite, but they solved those questions in 1885 by entering into an alliance with the Irish Party. In the conversation across the Table which took place the other night, the President of the Board of Trade (Sir Michael Hicks Beach) did not venture to deny that the Conservative Government of 1885 had determined, before they came into office, not to renew the Coercion Bill, nor did he deny that that decision had been com-

municated to the Irish Members. If that was not to be called a bargain, it had all the substantial effect of a bargain, and it carried to the Tory Party the benefits of a bargain. I do not suppose that the hon. Member for Cork and the other leaders of the Irish Party had any more difficult question before them during the years from 1880 to 1886, than the question of how they were to deal with the Fenian Party. Are hon. Members opposite aware that the Irish Republican Brotherhood expelled Mr. Davitt because he founded the Land League? Are they aware of that remarkable Resolution of the Brotherhood, in which they not obscurely threatened the leaders of the Irish Constitutional Party with a speedy close to their career if they persisted in their course of a peaceful Parliamentary agitation? These are facts of the utmost importance, and facts of which the Commissioners have not a single word to say. Surely, to Members of the House of Commons, not tied by legal rules, it is a most material fact, in enabling us to judge the conduct of the respondents, that the Constitutional leaders were continually embarrassed by the action of the extreme party. I believe the hon. Member for Cork did all he possibly could to keep back the extreme party, and that, if he had separated himself entirely from it, the results would probably have been far worse. But be that as it may, I entreat the House to have some charity for the conduct of the Irish leaders in such a difficult position. We are told that this is a criminal conspiracy. Hon. Members seem to think that any man guilty of such a conspiracy ought to have hard labour. [Mr. MACLURE: Hear, hear!] I will endeavour to show the hon. Member who says "hear, hear" that he may have himself been guilty of such a conspiracy. Suppose that any two barristers, thinking that a colleague was not acting up to the strictest standard of professional good taste—that, for intance, he was touting for briefs—were to tell an attorney that he ought not to employ him, that would be a criminal conspiracy. Or suppose any two Primrose Dames, in the innocence of their hearts, said to one another they did not think that any good Churchwoman ought to give her custom to a dissenting grocer, and that they would promise one another to do so no longer, they would be guilty of a criminal conspiracy. [Mr. MACLURE: Hear, hear! *and laughter.*] I am glad I carry the opinion of the hon. Member with me. I put these extreme cases, in which really no jury would dream of bringing in a verdict of guilty, to show there is nothing so terrible in the expression "criminal conspiracy." It merely means a conspiracy for which a man may be indicted, but as we are told that every moment in our lives we are imbibing microbes, so I suppose that there are few hon. Members who at some moment of their lives have not been guilty of a criminal conspiracy. The moral guilt which is involved in a so-called criminal conspiracy depends entirely upon the circumstances of the case. In this case, it seems to me that the criminal conspiracy for which the respondents were condemned was one into which two-thirds of the people of Ireland entered. Hon. Members will remember the famous phrase of Mr. Burke that he could not draw an indictment against a nation, but the Commissioners have found a nation guilty of a criminal conspiracy. They have found it guilty by omitting to notice or realise the fact that it was a whole nation that had conspired. Then I come to the charge against the respondents that they have endeavoured to obtain the independence of Ireland. To endeavour to obtain the independence of Ireland would not be an offence unless violent means were contemplated. Canada is just as much a part of Her Majesty's dominions as Ireland, and there exist in Canada societies whose aim it is to obtain the independence of Canada, or even to obtain the union of Canada with the United States, but no one thinks of prosecuting the members of those societies. If they proposed to attain their object in a perfectly legal way no one would think of endeavouring to prevent them. Looking at the matter even from a purely legal point of view, it is not necessarily a culpable act to endeavour to obtain the independence of Ireland.

It being half an hour after five of the clock, the Debate stood adjourned.

Debate to be resumed to-morrow.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No 80.)

Bill read a second time, and committed for Monday next.

PUBLIC HEALTH ACTS AMENDMENT BILL.—(No. 96.)

SECOND READING.

MR. F. S. POWELL (Wigan): I beg to move that this Bill be now read a second time.

DR. TANNER (Cork, Mid): I object.

MR. F. S. POWELL: I hope the hon. Member will not persevere with his objection, as it is very important that this stage of the measure should be taken as soon as possible, in order that it may afterwards be referred to a Select Committee.

*MR. H. H. FOWLER (Wolverhampton): I would remind the House that there is another Bill on the same subject a little lower down on the Paper. That Bill was brought in by myself, and I suggest that the House should accept both these measures, and that they should then be referred to a Select Committee, in order that the necessary means may be devised of carrying out a very effective and desirable reform. I am not prepared to accept the Bill of the hon. Member opposite unless my own Bill is also read a second time to-day, and both of them referred to the same Committee, which course, I believe, will meet the views of the Local Government Board.

DR. FARQUHARSON (Dorset (?)): I hope my hon. Friend (Dr. Tanner) will not press his objection after what has just been stated.

MR. SEXTON: Will the hon. Gentleman opposite (Mr. F. S. Powell) assent to the suggestion of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) in the event of my right hon. Friend withdrawing his objection?

MR. F. S. POWELL: Yes.

DR. TANNER: But I must really ask for some explanation. I shall, however, withdraw my objection on the understanding that both Bills are to be referred to a Select Committee.

MR. F. S. POWELL: What has taken place is that the Sanitary Committee has been overburdened with work for several Sessions, and I have been asked by the Committee to marshall the clauses they have been passing into something like an appreciable form. They have been so marshalled and, in that form, have been duly adopted by the Committee. In the form they have thus assumed, they will be the means of effecting a great saving of time and also of expense to the parties.

Motion made, and Question put, "That this Bill be read a second time." Motion agreed to.

Bill read a second time, and committed to a Select Committee.

SOLICITORS (MAGISTRACY) BILL. (No. 99.)

SECOND READING.

MR. MACLURE (Stretford): I beg to move that this Bill be read a second time. The object of the measure is mainly to remove a disqualification under which solicitors are at present with regard to being able to sit on a County Bench of Magistrates. The Bill is acceptable to the solicitors in the High Court of Justice.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr Maclure.*)

DR. TANNER: I think this is a subject which ought to attract the attention of one of the responsible Law Officers, or at any rate of some hon. or right hon. Gentleman experienced in legal matters, who might favour us with his opinion on the point. For my own part, I am inclined to think that solicitors, who of course have some knowledge of law, would make very good magistrates. I should like to hear why it is that solicitors have been hitherto excluded from the Bench of Magistrates. It appears to me a singular thing that this exclusion has been maintained, and that there must have been some reason for it, and as one of the uninitiated I should like some explanation of the fact. The House ought, I think, to have the assurance of some responsible Law Officer that this measure would have a beneficial effect. The only reason that occurs to me for the exclusion of solicitors from the Magisterial Bench is that they might curry favour with the other magistrates, and so undermine the administration of justice in furtherance of their own pro-

fessional ends. I do not know whether they are allowed to act in boroughs.

An hon. MEMBER: They can act in boroughs.

DR. TANNER: Well, if they can act in boroughs I do not see why they should not also act in counties.

MR. MACLURE: Solicitors who are made magistrates are to be specially excluded under this Bill from acting in any Court within the county in which their magisterial functions are exercised.

DR. TANNER: Am to I understand that this Bill will only allow solicitors to act as magistrates in districts in which they do not practice?

MR. MACLURE: They are not to practice in any Court of first instance in counties wherein they may act as magistrates.

DR. TANNER: And does the Bill also exclude their partners?

MR. MACLURE: Yes.

DR. TANNER: I am glad to hear this, and to have had the explanations that have been given on all these points, which are certainly germane to the question. But I would impress on the House that it is really very wrong to bring forward in so crude and imperfect a way measures of this kind, especially at a time when we are unable properly to discuss them.

Question put, and agreed to.

Bill read a second time, and committed for Thursday, 13th March.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 103.)

SECOND READING.

MR. HOWELL (Bethnal Green, N.E.): I beg to move the Second Reading. Inquiries having been made by those interested in the Bill, certain Amendments have been agreed to and accepted, and I would suggest to the President of the Board of Trade that the Amendments can be put upon the Paper after the Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Howell.*)

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): After what the hon. Gentleman has said, I hope the House will agree to the Second Reading.

MR. ROYDEN (Liverpool, W. Toxteth): I object. The reason of my objection is that the hon. Members for Liverpool and opponents of the Bill have not yet seen the Amendments.

MR. HOWELL: All the Amendments have been before the hon. Gentleman who has charge of this Bill, and he has assented to them as far as possible. But it is impossible to get the Amendments on the Paper until after the Second Reading, which I hope hon. Members will agree to.

MR. WHITLEY (Liverpool, Everton): I regret it is impossible to withdraw the objection, as a number of hon. Members interested have not seen the Amendments.

Second Reading deferred till to-morrow.

TREES (IRELAND) BILL (No. 70).

Considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, "That Clause 1 stand part of the Bill."

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I rise for the purpose of moving to report Progress, not with the view to opposing the Bill, but to enable hon. Members to put down certain Amendments.

DR. TANNER: I agree to the proposition of the hon. and learned Gentleman, though I would point out that this Bill has been in the hands of hon. Members for the past fortnight.

MR. MADDEN: The Session is still young.

DR. TANNER: Inasmuch as I have complained about hon. Members not seeing these Bills, which are brought forward in a crude hasty way, of course I will offer no opposition to the Motion.

Committee report Progress; to sit again upon Monday next.

URBAN SANITARY AUTHORITIES (FURTHER POWERS) BILL.—(No. 157.)

Bill read a second time, and committed to the Select Committee on the Public Health Acts Amendment Bill.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 6th March, 1890.

The Lord Bishop of Worcester—Took the Oath.

INDIAN COUNCILS BILL—(No. 28.)

SECOND READING.

Order of the Day for the Second Reading read.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, as I had the opportunity of explaining the provisions of this Bill to your Lordships when it was read a first time, I do not propose on the present occasion to take up further time in explanation, and I will therefore simply move that this Bill be now read a second time.

Moved, "That the Bill be now read 2'."

*THE EARL OF NORTHBROOK: My Lords, I have read with great attention both the Bill which the noble Viscount opposite has laid upon your Lordships' Table, the Second Reading of which is now moved, and also the Papers which he has laid upon your Lordships' Table in connection with the Bill. I am glad to be able to give to the Bill my cordial support. My Lords, this question of extending the functions of the legislative Councils of India is not a new one. It has been brought for many years to the notice of the Government of India by Public Bodies of various kinds, the Chambers of Commerce of the different Presidencies, and other Associations of different kinds, and latterly by the Congress which has met in different parts of India since 1885, that an opportunity should be afforded whether legislation is brought before the Council or not for an annual discussion of the financial condition of the country, and the financial proposals of the Government. It has also more recently been suggested, and the suggestion came quite as much, I think, from the Viceroy and his Council as it has come from the public, that some opportunity should be given whereby members of the Legislative Councils might address questions to the Government, as a course which might enable erroneous rumours to be at once corrected, promptly and with authority, and so avoid agitation and the danger of false rumours being disseminated throughout the country. Besides this, there have of late been proposals made to widen the area of the Legislative Council—I mean by that to increase considerably the number of the non-official members, and it has also been suggested that some system of election or selection other than that of simple nomination should be applied for the choice of the non-official members. My Lords, here in this country and also in India the public has been led to suppose that some action would be taken by the Government in these different directions, or, at any rate, in respect of part of them. So long back as the year 1885 a statesman who filled the office at one time of Secretary of State for India, Lord Randolph Churchill, advocated the appointment of a Committee to consider the different Acts which regulate the machinery of the Government of India, including the Legislative Councils. He, indeed, pledged the then Government, if they had remained in office, to propose the appointment of such a Committee. In the following year, 1886, my noble Friend, the Earl of Kimberley, who was then Secretary of State for India, asked your Lordships to agree to the appointment of a Joint Committee of the two Houses of Parliament for the purpose of considering the subject and those Acts. That proposal was agreed to by this House, and I think some of your Lordships were appointed members of that Committee. The proposal, however, fell through in consequence of the question never having, from some reason or another, come before the other House of Parliament to obtain its concurrence. In India, my Lords, my noble Friend, Lord Dufferin, after two years of office, made a speech on the occasion of the Jubilee, in which there was a paragraph so remarkable that I venture to read it to your Lordships, because I feel in dealing with this most difficult subject that whatever experience I may have had in India is of the past—comparative speaking long ago—and that your Lordships would naturally be guided far more by the deliberate opinion expressed by Lord Dufferin after having served the office of Viceroy for some time than by any

An Asterisk at the commencement of a Speech indicates revision by the Member.
by Contract with H.M.'s Government.

opinion that should come from my own own personal authority. Lord Dufferin said—

"Wide and broad indeed are the new fields in which the Government of India is called upon to labour, but no longer as of aforetime need it labour alone. Within the period we are reviewing education has done its work, and we are surrounded on all sides by native gentlemen of great attainments and intelligence, from whose hearty, loyal, and honest co-operation we may hope to derive the greatest benefit. In fact, to an administration so peculiarly situated as ours, their advice, assistance, and solidarity are essential to the successful exercise of its functions. Nor do I regard with any other feelings than those of approval and goodwill their natural aspiration to be more extensively associated with their English rulers in the administration of their own domestic affairs; and glad and happy should I be if circumstances permitted me to extend and to place upon a wider and more logical f o ing the political status which was so wisely given a generation ago by that great statesman, Lord Halifax, to such Indian gentlemen as by their influence, their acquirements, and the confidence of their fellow-countrymen were marked out as useful adjuncts to our Legislative Councils."

Now, my Lords, a year later, in 1888, Lord Dufferin on the eve of his giving up the office of Viceroy, alluded to what he had said on the occasion of the Jubilee, using words which were well weighed, and which I cannot believe were uttered by Lord Dufferin without previous communication with the Government at home. On the occasion of St. Andrew's Day's dinner, having quoted the speech which he made at the Jubilee, Lord Dufferin said, after some other words—

"I am not the less convinced that we could, with advantage draw more largely than we have hitherto done on native intelligence and native assistance in the discharge of our duties. I have had ample opportunities of gauging and appreciating to its full extent the measure of good sense, of practical wisdom, and of experience possessed by the leading men of India, both among the great nobles on the one hand, and among the leisured and professional classes on the other, and I have now submitted to the Home Authorities some personal suggestions in harmony with the foregoing views."

My Lords, such having been the intentions of the Government at home, and such having been the utterances of the Viceroys of India, in respect to enlarging the functions and widening the basis of the Legislative Councils, I do not think that the Bill now introduced by the Secretary of State for India can be said either to be uncalled for or in any sense premature. I do not think that, after a perusal of the opinions given by Lord Dufferin which I have presented to your Lordships and placed on the Table, and the opinions of the present Viceroy, Lord Lansdowne, after communication with the several Local Governments of India, your Lordships can consider that the proposals contained in the Bill have not been most carefully examined into. They have undoubtedly met with the approval and concurrence of the two succeeding Viceroys, and, with a few slight exceptions, they have received the concurrence of the Local Governments of India. Therefore, I am sure that your Lordships may be satisfied that in giving, as is proposed by this Bill, additional power to the Legislative Councils for the discussion of the Budgets, and also in giving them the power of interpellation under certain restrictions, your Lordships will be doing a wise act, and an act which will strengthen the hands of the Government in India. On the subject of interpellation I should like to make only one remark, and that is, that I agree with the proposal made by the Bill that it shall not be competent to the member who makes the interpellation to follow it up by a Motion, and to divide the Council upon the question. If a latitude of that sort were to be allowed, it would have the effect of making these Legislative Councils in India, which are intended to be, and which are, practical bodies, into bodies, I am afraid, in the nature of debating societies, because there could not, in India, be the same result as there is in this country of Motions followed by Divisions. India is a long way from having what is called a Responsible Government, namely, an Administration composed of men who possess a majority in the Representative Assembly, and, therefore, Motions and Divisions in India would be more in the nature of discussions without any practical result, than in the nature of the practical business which alone ought to be carried on in the Legislative Assemblies. My Lords, in a proposal that I have seen, which was elaborated by the Congress which met lately at Bombay, it is proposed that there shall be an opportunity given in Legislative Council for such Motions to be made and Divisions to be taken; and those who have made this proposal in India, which,

I believe, it is not impossible may come before Parliament here, appear to have seen the same difficulty that I have pointed out—as to the practical result to such Motions, because they propose that in case the opinion of the majority should not be concurred in by the Viceroy or the head of the Local Government, they should have the power of over-ruling it; but that, at the same time, an appeal should lie to this country to a Standing Committee of the other House of Parliament, which is to be constituted for the purpose of hearing such appeals, and that the Standing Committee should have the power to call persons before it and take evidence, and should then report their opinion to the other House of Parliament on the subject. I think that such a proposal as this, making so fundamental a change in the British Constitution, giving such executive functions to a Standing Committee of the other House of Parliament, need not be discussed further. It only shows, my Lords, how difficult it is, however able the men may be—and some of the men who are endeavouring to deal with this subject are men of great ability and great education—to succeed in devising a plan which would enable at the present time such Motions to be made in the Legislative Councils in India, and provide an appeal to any authority in this country excepting as now to the authority which has the duty of advising Her Majesty on all Indian affairs, namely, the Secretary of State for India in Council. While I say this, I must remind your Lordships that there is ample power by the present law whenever any legislation takes place in any of these Councils for Divisions to be taken upon any clauses of any Bill which is before the Council. So far, my Lords, as to the extension of the functions of the Legislative Councils in India. I now come to another part of the subject, and that is, to use the words, I think, of the noble Viscount in addressing the Governor General in Council on the subject—

> "Her Majesty's Government have been of opinion that the time is come when it is desirable that public opinion should be more largely and variously represented in India."

For the purpose of carrying out that view it is proposed in this Bill, and as I believe rightly proposed, to increase the number of the non-official members of the different Councils—the number of the non official members of the Council of the Viceroy to a moderate extent, and the number of members of the local Legislatures to a greater extent. My Lords, I believe this change is a wise one. It is curious to look back even in my own personal experience to what was the case not very many years ago. In the year 1861, when the present law was passed, the great difficulty which was anticipated was to find natives of India who would be fit to be members of the new Legislative Councils. They were expected to be exceedingly few, and it was supposed at that time that they would not be of any great value because it was supposed, if they were put into the Councils, all they would do would be to agree with the opinions of the Englishmen around them. When I was in India 10 years after that, in 1872, I found that there were in India a certain number, I cannot say very many, but there were a certain number of men who, from their education, their knowledge of English, and their ability and position, were capable of rendering most valuable assistance as members of the Supreme Legislative Council, and still more as members of the Local Legislatures, and as regards the apprehension entertained in 1861, that the native members of the Legislative Councils would not freely express their opinions, I am sure any one who has watched of late the proceedings of the Legislative Councils, especially in regard to two very important measures, one affecting the land in Bengal, and the other affecting the rights of the landowners in the Province of Oudh, would find it impossible to deny that the opinions held by the native members were pressed with great ability and firmness, and with perfect independence in the Legislative Council. Therefore, the apprehension that was felt in 1861 has been found to be removed by time, and undoubtedly there must be at the present moment very many more native gentlemen in India of education, ability, and position, who are capable of being usefully placed in the Legislative Council than these were 12 years ago, when I was myself in India. At the same time, your Lordships should not, I think, suppose that the extension of high education in India, although very remarkable, is very general. No doubt there

is a very large number of natives of India who year by year acquire a moderate knowledge of our English education and a moderate education in the literature and general knowledge of the West; but, at the same time, judging by the actual, Returns, and this is one of the things that can be reduced to actual proof, there does not appear to be a very large number of men who have received what may be called a thorough English education even now. I have seen some very remarkable figures which have been taken from the records of the Universities in India. Almost every man in India who receives a high English education goes to one or other of the Universities, and a calculation has been made of the total number of men who have entered at the Universities in the 20 years ending with the year 1883. I have added to that, by a calculation of my own, an estimate of the number that have probably joined from the year 1883 down to the present time, adding something to the average of the former years in order to allow for the undoubted increase in the number of those who now go through the Universities. The first Arts Examination at the Universities does not give any very great test of high education; however, as far as I can make out, from the time the Universities were first constituted up to the present date—that is to say, in a period of 27 years—about 17,000 natives of India have passed the first Arts Examination; that is, out of about 80,000,000, which is the whole male population of Bengal, Madras, Bombay, and the North-Western Provinces. The next examination is that of B.A., which is a higher standard. Of course, by those who know the value of the B.A. examination, it may be said that there are many men who have passed the B.A. examination who are not thoroughly instructed men. The total number of natives of India who have passed the B.A. examination since the year 1863 is about 7,000 out of the 80,000,000 males of those four Provinces. I now come to the last examination, namely, the examination for the degree of M.A., which is very severe, and any native who has passed that examination is a very well-educated man in English knowledge and in the literature and science of the West. A very few more than 1,000 men out of the 80,000,000 of male population have passed the M.A. Examination in the 27 years. Your Lordships will see then, that although a knowledge of English has been diffused over a very large area, yet the number of really highly-educated men in English knowledge and literature is exceedingly few as compared with the vast population of that country. Now, my Lords, I do not mean for a moment to assert that it is only the gentlemen who have passed those Examinations whose opinions and assistance are valuable in respect of Indian affairs. Far from it. Perhaps the very soundest opinions upon all Indian affairs may be obtained from men who have Eastern knowledge, Eastern experience, and who thoroughly understand the country in which they live. But I only mention those facts as showing that as regards the particular class of education which is now coming so much to the front, the number of men who possess it is not so very large. My Lords, in regard to this subject, I have alluded before to the meetings of the Congress called the International Congress, which has met annually since the year 1885, and it would, I think, be wrong in me to address any remarks to your Lordships upon this question without saying a few words upon that Congress, because it has attracted so much public attention both here and in India. I know some of the leading natives in India who have taken a prominent part in that Congress, and I am perfectly satisfied of the loyalty and thoroughly good and hearty disposition towards England and the English Administration, which is felt on the part of a great many Indian gentlemen who have been concerned in the Congress. I have read a great many of their speeches and have been struck with the ability and, generally speaking, the moderation with which they have discussed somewhat difficult questions. I think that the way in which the Congress is assembled, and the necessarily short time they have for discussing important questions has very much militated against its usefulness and—for I wish to speak quite frankly upon this question—I greatly regret to observe that some of the publications issued and circulated by the officers of the Congress, not, so far as I

am aware, from any deliberate intention on the part of the Congress as a Body, but certainly issued on the part of its officers, if not with their authority, have been couched in language which I believe, if read by any large number of the natives, or to any great extent, by the natives of India might be decidedly dangerous. My Lords, I am not one of those who regret these assemblies. I think there are advantages to be derived from having free expression of opinion by the educated classes of India on public affairs, but along with those advantages we see from the experience of the Congresses how difficult it is to form, even for such temporary purposes, anything like representative Bodies among the natives of India. It will be within the knowledge of those who are acquainted with the subject that this Congress has not been without its disadvantages, because it has excited very considerable differences of opinion in various parts of India, where the natives are of different religious opinions, and especially among the Mahommedan subjects of Her Majesty in India. Now, my Lords, this Congress, and also others, have recommended a much larger extension of the numbers of the Legislative Councils. I believe myself that the Bill goes far enough in that direction. I believe there would be great difficulty in making any much larger increase in the number of the Legislative Council of the Viceroy, and a substantial increase has been made in the Local Councils. Therefore, I think, the noble Viscount in the Bill which he has laid on your Lordships' Table has provided fully for all present needs in respect of the increase of numbers. I wish to point out to your Lordships that there is an essential difference between the work done by the Supreme Legislative Council and the Local Councils. They require in my opinion very different treatment. The principle of the Indian Government for many years now past, since the time of Lord Mayo, has been to decentralise local affairs, providing for their management by the people of each municipality or district, and to give to the Local Governments very much more power over their own affairs than they used to have in old times. It is only by the legislation of 1861 that the Local Legislatures have had any power given them at all, and it is to them that the task is now given of managing local affairs for their own Governments. It is obvious there would be very little difficulty found in selecting natives of India belonging to the Local Governments living in the different Presidencies who would be fit and able to give the most valuable assistance to the Local Legislatures. But the case is very different in regard to the Supreme Council. In India we do not think it necessary to have a programme put forward every year, as we have in the Queen's Speech in this country, and to be constantly altering the laws of the land. Legislation is only carried on in India when it is really required, and it may be confined to one or two different parts of India only. I remember myself during one year being occupied nearly the whole time with the Central Provinces on the one side, and with Burma on the other. I have not seen any plan or scheme under which it would be possible to appoint anything like representative Members to the Supreme Legislative Council who could be expected to supply the whole of the information which would be wanted in such an enormous country as India, where the subjects to be dealt with are so wide and various, and where the people are so separated in interests from each other. Then how is the work done? The main part of the work in the Supreme Council in India is not done by speeches in the Council. The main part of the work is done by circulating the proposals for laws to the different Governments, with instructions to them to get opinions from all classes of people respecting those proposals, and then, having received all the information they possibly can from outside, to appoint a Committee for the purpose of working out the details; and the matter is only brought before the Supreme Council when the greater part of the work is already done. That work is necessarily heavy, and it occasionally happens that two or three years pass before projects of laws are ripe for decision. But the work is done with a full knowledge of the opinions of those who know most about the subject. I have not yet seen, as I said before, any plan by which the Supreme Legislative Council of India could be supplemented by any persons purporting to represent the different

parts of that vast country. My Lords, it would, in my opinion, be injurious to the interests of India if the present state of the law should be altered, and the Sessions of the Supreme Council confined to Calcutta. Everybody knows that Calcutta does not in any way represent the whole of India. The people who live in Calcutta probably know less about India than a great many of your Lordships who pay attention to the affairs of that country but who have never been there. It was always intended that the Legislative Council of the Viceroy might meet wherever necessary, so that they might on the spot get all the information which was desirable before passing laws. I well remember myself when I was in India holding a Legislative Council, lasting, I think, a week, at the City of Agra, when several matters affecting important interests of the North Western Provinces were discussed, and I had the advantage of having the presence of the Lieutenant Governor of the North Western Provinces in the Council, and also of non-official communications with those who were conversant with the matters we had to decide. My Lords, I should consider that any plan in which any attempt should be made to form a representative Supreme Council, and to make that Council sit at Calcutta, and nowhere else, is a plan which would be injurious to the interests of India. I have seen a plan which is called, I think, a skeleton scheme, proposed by the Congress at Bombay, for the purpose of establishing such a Council as I deprecate, and I have examined it with all the attention which the expression of opinion of such a Body is entitled to; but I must inform your Lordships that I can in no way recommend this plan to the consideration of Parliament. It is a plan under which a system of representation based upon population is to be carried out throughout the whole of India. There is to be a registration of electors; there are to be Electoral Councils; there is to be representation of minorities; and there is to be vote by Ballot. And the result will be the selection of some 40 members purporting to represent the different parts of India, to form part of the Supreme Legislative Council. My Lords, I must express my deliberate opinion that in the first place such a system as this, if introduced into India, is entirely unsuited to the present condition of the country, and in the second place that were the Councils of India to elect representatives in such a manner as that, it would be, in my opinion, a serious political danger. My Lords, I submit that the basis on which this scheme rests, namely, the allotting of representation in proportion to population in India, is one which cannot be accepted by anyone who has any real knowledge of the whole interests of the country. The results would be somewhat peculiar, and the mere statement of them, I think, would be sufficient to satisfy your Lordships of the impracticability of any such scheme as this. Half of the whole number of members to be elected would be elected from Bengal and Madras, leaving the whole of the rest of India to be represented by only the other half. To take another way of putting it: The province of Bengal with Assam would, under this plan, have as many members of this proposed Assembly as the provinces of Bombay and Madras, with, added to them, the Punjaub. Anyone who knows anything of political importance of the different parts of India will see at once that such a scheme would not give the necessary political weight to those parts of India which are of the greatest political importance. My Lords, I conceive in respect to the increase of the numbers of these legislative Bodies in India the wisest course is to work upon the lines upon which we have already gone, namely, decentralisation. I think that the first object should be to strengthen the hands of Local Legislatures, and I would even go further than the noble Viscount has gone in his Bill to give power to the Members of the Local Legislatures, but I would leave the Supreme Council very much as it now stands until some wider experience than we have at present is possessed of the effect of the measure upon the Local Legislatures. Having expressed that opinion upon the plan which I have seen, I wish to say, my Lords, that, on the other hand, I regret very much that the Government has not been enabled to introduce into this Bill any system whatever by which a portion of the non-official Members of the Local Councils, at any rate, could be chosen by some system of

election or selection, and not left entirely to the system of pure nomination as it now exists. On reading the Despatch which was addressed by the noble Viscount to the present Governor General on the 1st of August last, and which has been laid on your Lordships' Table, I find the following paragraph. After saying that, in the opinion of the noble Viscount, public opinion should be more largely and variously represented, he goes on, not to ask the Government of India for their views as to the best manner in which this should be done, but to express his own opinion most decidedly upon it. He goes on to say—

"And this may, in my opinion, be best effected by a simple extension of the existing system, such as will by increasing the number of nominations to the Councils extend the circle of selection so as to secure, as far as circumstances admit, due representation of considerable sections of the community, and of administrative knowledge and experience in the principal departments of the various Governments."

Now, my Lords, I have a very high respect for the noble Viscount opposite. I believe he has fulfilled the duties of his important office with great ability, success, and wisdom; but, at the same time, I may venture perhaps to say that instead of the opinions which have been expressed by the noble Viscount I should like to have had the opinion expressed by the Viceroy. I may be wrong; but I should think that the Viceroy and his Council in India are better able—upon matters of this kind a great deal better able—to gauge the political situation in India, and to express to Her Majesty's Government and to the country the wisest manner of dealing with the affairs of India than even the most able Secretary of State. And, my Lords, it is a matter of great regret to me to find that in these Papers we have not been given the opinions which have been expressed by either the late or the present Viceroy upon this subject. I cannot suppose after the expressions used by Lord Dufferin, which I read to your Lordships at the outset of the observations I have to make to the House, that Lord Dufferin is altogether against any system of election as applied to any part of the Legislative Bodies in India; and, indeed, I have seen it broadly stated that Lord Dufferin has expressed an opinion in favour of some such system. But, my Lords, however that may be, I venture to express the hope that it may not be impossible for Her Majesty's Government to re-consider that portion of the Bill, and that they may think it would not be right to shut the door, as would be done by this Bill, to the introduction of some system of selection or election, at any rate, into the subordinate Legislative Councils of India. I have no hesitation in saying that with proper safeguards some system of selection of that kind might be safely carried out. While I say that I am standing at a disadvantage, and the reason why I am standing at a disadvantage in this matter is because we have not before us the opinions of the Government of India upon this matter. If I had those opinions I should speak with much greater confidence. No man can be more convinced than I am of the necessity of dealing most cautiously and tentatively with this great question. I am, as your Lordships will have seen, in favour of no wholesale scheme of popular representation in India, as popular feeling exists in India at the present time; but I cannot disguise from myself that that idea exists in the opinion of some of the most loyal and able men in India, that is to say, an opinion in favour of the introduction of natives, either by selection or election, into the Legislative Councils. I should deprecate laying down in any Act of Parliament which might be passed in this country any plan or scheme of selection or election; for this reason, our knowledge of India is very incomplete in this country. Each Province in India differs one from the other, and I hold that it is impossible to say the same system would answer for all—that the system which would suit Madras would suit Bengal; and certainly it would be impossible to assert that the system which would suit Bengal or Calcutta would suit the North-Western Provinces or the Punjaub. Therefore I say that with our present incomplete knowledge it would be necessary for us to exercise great caution in introducing such a system. I myself would suggest it might be possible to introduce a clause into the Bill, enabling the Viceroy in Council in India to submit some scheme appointing part or the whole of the non-official Members of the Local Councils for the

consideration of the Secretary of State for India in Council, and after the approval of the Secretary of State for India in Council was given to some plan of that kind by propogation it might be carried into effect, at any rate, by the Local Councils. I myself should not be disposed at the present time to go further with respect to the Supreme Council than, perhaps, allowing the selection of a Member by each of the subordinate Legis atures. As the Bill proposes increasing the number of Members from six to 12 I cannot see any danger in four or five of them being selected by the Local Legislatures; there would then be an ample margin by allowing the Viceroy to select the number necessary to make up the authorised number to appoint any men whom he might select for the purpose of assisting the business he had in hand. That is my view of the matter, my Lords; and if I find any support to the views which I have expressed, I should attempt to put down on paper those views before the Bill goes into Committee, for the purpose of giving your Lordships the opportunity of expressing an opinion upon the measure, for I am sure it is a measure which will be greeted with great satisfaction in India, but which I think requires that small addition to make it a perfectly satisfactory measure.

*THE MARQUESS OF RIPON: My Lords, I think that it will probably suit your Lordships' convenience if I confine any observations I have to make at this stage of the Bill to the 1st clause. I therefore will not trouble your Lordships now with anything relating either to the discussion of the Budget or to the question of interpellation. I may have something to say upon those clauses at a later stage, if your Lordships will allow me; but in order not to take up your time more than I have a right to do on the present occasion, I will at this moment confine myself to what is the most important portion of this Bill, in some respects, although perhaps not in others, namely, the proposed change in the organisation of the Council of the Governor General and of the Local Councils. My Lords, upon the first blush of the matter it would seem, I think, that the proposals made by the noble Viscount in this Bill are in this respect of a very limited character; because he proposes to increase the number of the nominated Members in the Governor General's Council to a minimum of 10 and a maximum of 16, there being at present a minimum of six and a maximum of 12; that is to say, he proposes to give power to add four nominated Members to the Governor General's Council, and although his proposal in regard to the Local Councils is somewhat more extensive he proposes there only that the minimum should be eight and the maximum 20; at present under the existing law the minimum is four and the maximum is eight. Therefore, on the first blush of the matter it might seem that those proposals are not of a very extensive or very important character. But I quite agree with my noble Friend who has just sat down, to whose speech I am sure your Lordships listened with the greatest attention and interest, in the opinion which he, I think, expressed, or which he certainly implied, that any dealing with the question of these Legislative Councils in India must be a most important matter, and, as I ventured to suggest to your Lordships on the First Reading of this Bill, a matter of special importance at the present time when this subject is occupying the minds of men to so large an extent. Now, my Lords, with respect to the mode in which any extension of Members in the Governor General's Council or in the Local Councils should be carried out. I agree very much with what fell from my noble Friend the Earl of Northbrook; and I earnestly hope that Her Majesty's Government will give great weight to what he has said and to the appeal which he has made to them to re-consider the frame of this clause, so as to render it possible for the Government of India to introduce into the Local Governments especially, and I would go to the extent of saying the Governor General's Council also, the principle of election or selection, whichever you may call it. Your Lordships may remember that if some such power is not given in this Bill it will require a fresh Act of Parliament before any change of that kind can be introduced even into the Local Councils; and we all know, and I think nobody knows better than the noble Viscount opposite, the difficulty there is in passing an Indian Bill through Parliament. Therefore, I

go quite along with my noble Friend in saying that you should make such a Bill as this an empowering Bill; that you should lay down the principle on which these Councils are to be constituted; but that you should leave the details as much as you can to be arranged by the Government and Legislatures of India. I must strongly deprecate Bills being introduced into Parliament here containing very minute regulations in respect of these matters. But looking at the clauses as they stand, while I quite agree in the principle that adding elected Members to these Councils would be desirable, I think it would be undesirable to increase the number of the nominated Members—that is to say, nominated as they are at present. And I am much inclined to think with respect to the Governor General's Council that that is the opinion of the present Government of India; because I find in a Despatch of Lord Lansdowne's and his Colleagues of the 24th December last this passage—

"The majority of us"—

I do not know whether my noble Friend Lord Lansdowne is himself included in that majority or not—

"Are of opinion that there should be no increase in the number composing the Governor General's Council, and that its enlargement to the extent proposed will have the effect of adding to expenditure without increasing efficiency."

Now, my Lords, I am bound to say that, as far as my own experience goes, I think that if you increase the number of nominated Members to be selected by the Viceroy or by the Governors of Provinces you will be only adding to a difficulty which already exists, and which is experienced in practice. At all events, I can only say that I myself found the duty of selecting those Members a very difficult one. The maximum number was 12. It had been the practice of some Viceroys not to fill up all the places in the Council. I think that was the case sometimes with my noble Friend behind me and with others. I thought it was my duty, as far as I could, to fill up the numbers with Members who should represent various opinions upon the Governor General's Council. I must truly say to your Lordships that I found the difficulty of selecting men who represented the various classes of the community and the various sections of opinion, as well as the various localities of India, one of extreme difficulty. That these nominated Members were intended to be as far as it was possible under a system of nomination of a representative character is, I think, clear from a perusal of the debates and discussions upon the Bill of 1861. There I think you will find it was obviously the intention of my noble Friend, Lord Halifax, who was then at the head of the India Office, and of Parliament that by means of this system of nomination representatives of the different parts of India and of the different sections of the community should be introduced into the Governor General's Council and into the other Councils. At that time there were no other means open to the Government of appointing men to these Councils. You could not have had at that time anything in the nature of a system of election or selection. In 1861 you had scarcely anything in the nature of Municipal Institutions in India. It is one of the many benefits which were conferred upon India by the late Lord Mayo, that he commenced to establish the system of municipal organisation in India. That policy of Lord Mayo's was followed out yet more fully by my noble Friend the Earl of Northbrook, and since then it has taken a yet wider extension. So that at the present time you have in the Municipal Bodies of India, as well as, I think, in certain other Public Bodies which have sprung up since the Act of 1861, the means of securing the selection of fitting men to serve in the Local Councils, at all events, and who would be representatives of the different parts of the country and of different sections of native opinion. The great Education Despatch of Lord Halifax had then borne but little fruit. Now our education is widespread in India, and it is bearing much fruit; and although my noble Friend the Earl of Northbrook spoke of the small number of men who have passed through the highest educational tests in India that number is a growing number, and already you have among those men an ample field for the selection of persons who are well acquainted with the English language (for that is essential, of course, to a Member of these Councils) and fitted to take part in the discussion and in the consideration of the measures

which are submitted to the Councils. But, my Lords, with respect to pure nomination, in the first place, as I have said, it is a difficult task for a Viceroy to determine who will represent in the best manner the various parts of the country, or the various interests and classes in the country; and then when he has selected the man who he thinks is most likely to command influence among his fellow-countrymen it not unfrequently happens in India, as it not unfrequently happens in every other country in the world, that the mere fact of the man having been selected by the Government and put into the Council as their nominee seriously interferes with his influence among his fellow-countrymen. Then, again, take another case, the case of re-appointments. As the noble Viscount very well knows, these nominated Members are nominated for two years. At the expiration of the two years they have to be replaced. They have either to be re-nominated or other persons are put into their place. Now, take the case of a Member of one of these Councils who, in the exercise of his functions, has thought it his duty, or has seen fit for some reason, to oppose the measures which have been proposed by the Government. Is he to be re-nominated at the end of his two years by the Governors or Governor General, or is he not? There might be many reasons in such cases which would make it a matter of doubtful propriety for the Viceroy or the Governor General to re-nominate him; and yet, if he is not re-nominated, he instantly poses as a martyr, and he is at once thought by his fellow-countrymen to have been put out of the Council simply because he had been a thorn in the side of the Government, and had opposed their measures. I have had other reasons which have led me to that conclusion, a conclusion which was strengthened during the time that I was in India with regard to the difficulty of making those selections without the aid of some outside body which can choose a certain portion of the members as representatives of native opinion in these Councils. My Lords, it is of great value to the Government of India, that their measures should be criticised in these Councils by men who are face to face with them and to whom they can give a reply upon the spot. One of the great difficulties of the Government of India is the difficulty of making replies to the misrepresentations and misunderstandings which spring up, and which are propagated by the Press, whether native or European, in all directions. The Government of India has not any organ in the Press, and, in my opinion, ought not to have any organ in the Press; but I am not in the smallest degree afraid of any criticism which may be brought to bear upon the Government by the members of the Council who are face to face with it in the Council itself; and I have always been of opinion that such opportunity should be afforded them of defending their policy in Council. That seems to me to be really the difficulty of making a selection of men by the Governor General or by the Governors, and looking to the assistance which it is to the Government in these Councils to have men who will speak freely with regard to their measures, and who will afford them, therefore, an opportunity of defending their policy, I quite agree with my noble Friend behind me in thinking that the time has come when the object of the Act of 1861, namely, the obtaining of a representation of native opinions upon these Councils may be best secured by providing that a portion of their members should be chosen by some such Bodies as the larger Municipal Bodies, or other Public Bodies, to be selected, not as I think by an Act of Parliament, but by an Act of the Indian Legislature. Now, my Lords, of course, as my noble Friend has pointed out, we are discussing this question to-night at some disadvantage, because we have not before us the full opinions of my noble Friend the Marquess of Dufferin with respect to this part of the matter, and neither have we any definite expression of opinion on the part of the present Government of India, because, so far as concerns the Governor General's Council, they do not appear to agree with the proposals of the Bill. The noble Viscount opposite has laid upon your Lordships' Table an extract from the Minute of my noble Friend Lord Dufferin, made on the 6th November, 1888, and as was pointed out by the noble Lord who has previously spoken, Lord Dufferin subsequently to that date, towards the end of November, in a public speech which he made in Calcutta, made known to the public the

fact that he had submitted his opinions upon these questions to the Government at home. It is really no use to pretend that we have not reason to believe that the Minute of my noble Friend Lord Dufferin went beyond the extracts which have been given to us in these Papers, and touched upon the very question of the introduction of a representative or elective element into the local Councils. The public has been favoured with a document which purports to give a much larger portion, at all events, of the Minute of my noble Friend. That document, I suppose, got out to the public in some surreptitious and improper manner, which recalls to us the famous incident of Mr. Marvin; but we cannot shut our eyes to the fact that that document is the public property, illegitimately obtained undoubtedly, but it is before the public; and I do, therefore, venture to think that the noble Viscount would do well while condemning, as he is most justly entitled to condemn, the means by which that document may have been obtained and made public, nevertheless not to follow a course which a little partakes of the fabled policy of the ostrich, and to refuse to put us in possession of the real facts of the case with regard to the Minute of my noble Friend Lord Dufferin. I think that is the fair course to take towards Lord Dufferin, and I certainly think it is the fair course to take towards this House. I do not deny that I am discussing this question in the belief that Lord Dufferin has expressed an opinion which is favourable to the introduction of an electoral element into the Local Councils. That is an opinion of the greatest importance, pointing entirely in the direction in which I myself think it would be wise and judicious to proceed, and giving great support to the views which I myself have been induced to adopt by the consideration which I have been able to give to this question, not now for the first time, with regard to the course which it is desirable to pursue. I go quite along with my noble Friend who has just down in his desire to see the elective or representative element introduced into the Local Councils. I think that if that step is taken it would be desirable to introduce an element very likely in the manner suggested by my noble Friend, namely, by the selection of Members from the Local Council to the Governor General's Council, but to introduce an element of election or selection, if you like to call it so, into the Governor General's Council also. And I will tell your Lordships why. I am not at all surprised that my noble Friend should desire to proceed with great caution in regard to this question; but I think it is most desirable that what you do now in the present state of public feeling upon this subject in India should be of such a kind as to afford a fair ground for expecting that it will have a reasonable degree of permanence. I think nothing would be worse than to do a little now, and then to be pushed to do a little more a few years hence. I do think that if you so far open the door of the Governor General's Legislative Council as to admit into it the infusion of a representative element, you may be able to rest for a reasonable time. Nobody attempts to talk of finality in these matters in reference to any Bill which might be passed now; but if you leave the Governor General's Council altogether out of your purview, and deal only with the case of representatives in the Local Councils, I think you will not in any degree check the demand which is being made for a representative element in the Governor General's Council; and I think you will fail in the object, which I believe to be the object of the noble Viscount opposite, namely, to make such a change in those Councils at the present time as will give fair and reasonable satisfaction to the public desires. My noble Friend who spoke last said he felt this Bill was not at all premature. I entirely agree with him; indeed, I should be inclined to express a regret that some measure of this kind was not introduced at an earlier period. I regret that it was not introduced at the time when my noble Friend, Lord Dufferin, expressed his views upon the subject. I am not wishing to make any sort of attack upon the noble Viscount opposite on this point. Very far, indeed, from it. I admit all the difficulties of passing Bills of this kind through Parliament, and I do not therefore wish to make this in any sense a hostile criticism; but I do think that the sooner this question is dealt with upon a wide and sufficient basis, to form a resting place for a time, the better it will be for all parties, and the

more conducive to the safety of our position in India. My Lords, if I might be pardoned in regard to this question of representation and nomination for giving you my own actual experience in respect to it, I would just allude to a fact which took place during the time of the discussion of that Bengal Rent Bill of which my noble Friend spoke. That was a Bill, as your Lordships will recollect, which dealt with very important questions. It dealt with the question of the relations between landlord and tenant in Bengal. It was a very hotly contested Bill, and I was very desirous of obtaining upon the Council an able and trusted representative of the landowning interest. I wish I could have obtained a representative of the ryots' interests; but that, of course, was impossible. The Government had to represent the interests of the ryots, but it was very important for them to obtain a thoroughly trusted representative of the Bengal landowners. What did I do? I thought the best plan was to go to the British India Association and to another Association which represented the landowning interest in Bengal, and to say to them—"If you will recommend me a person in whom you have confidence to represent your views upon the Council, if I think him a fit and proper man for the purpose, I will appoint him." And I did that twice. The gentleman who was first selected resigned, and I applied again to the same Bodies and they made me a second nomination. Both those nominations were accepted. As my noble Friend has said, both these gentlemen represented the views of the landowners of Bengal with the greatest ability, and they were of the greatest service in discussing the Bill in Select Committee. I secured what I wanted, namely, that when they made any compromise and agreed to any arrangement they should do it as the representatives of the landowners; and that they should not be looked upon as Government nominees, whose proceedings could be easily and readily disavowed. My Lords, I advocate the adoption generally of a course of that description, which I am confident was of very great assistance in passing the measure to which I have referred, and I think if my noble Friend, Lord Dufferin, were here to-night he would have agreed with me that the gentleman who represented the landowners in the Council when he became Viceroy was of the greatest assistance to him; and that although he fought his battle gallantly and determinedly he still was of very great assistance in passing the Bill through the Legislature. My Lords, for these reasons I do sincerely hope that the noble Viscount will listen to the suggestions of my noble Friend the Earl of Northbrook, and will consider and somewhat widen and open the clauses of this Bill. If he does not, I shall regret the increase of the number of members if they are all to be nominated. I believe you will only aggravate the difficulties of the present situation; but if he will introduce the measure which has been suggested with regard to the election by constituted Bodies, then I believe the noble Viscount will have done a very desirable thing for the Government of India, that he will have organised these Councils upon a basis which will be calculated to possess a very considerable amount of permanence, and that he will deserve the hearty thanks of all who are interested in the future of our great Indian Dependency.

*VISCOUNT CROSS: My Lords, I have to thank you for the way in which this Bill has been received. When I had the honour of introducing it the other night, certain objections were raised by noble Lords opposite to certain portions of the Bill, and I am very glad to find from the debate to-night, that by the Papers which I have laid upon the Table of your Lordships' House, since the Bill was introduced, I have entirely done away with the objections then raised to certain portions of this measure. About these questions it is unnecessary, therefore, for me to say anything further. I must thank the noble Earl opposite for the speech he has made for several reasons. In the first place, I think it was an admirable speech, and one which I believe will do a great deal of good; and, secondly, it has saved me from stating a number of things which have been much better stated by the noble Earl than I could possibly have stated them. Anyone, I am certain, who has had anything to do with the Government of India knows the necessity of care and caution when you consider the vast interests at stake in that country with which you

have to deal. It is unnecessary for me to dilate in your Lordships' House upon the size of India, upon the number of races, or, I may say, nations; upon their differences in creed and in manners and customs, from one end of India to the other. As was well said by the late Sir Henry Maine, in speaking of India, there is no more resemblance between a Punjaubee and a Bengalee, between an Indian of Hindustan and an Indian of Malabar, than there is between an Englishman and a Roumanian, or between a Spaniard and a Swede. But it is not only that there are differences of race and creed, but there are other distinctions, as regards education and other matters. The noble Lord has given the House several sets of statistics, about what may be called the higher education of the people of India; but I think it is necessary to give also statistics with regard to education among the lower classes of natives. We have to deal with 190,000,000 of Hindoos and 50,000,000 of Mahommedans who inhabit India. I believe, as far as the population of British India is concerned, we may take it as being 200,000,000. But the latest information I had from Lord Dufferin was that you can only take about 5 or 6 per cent. of that vast population of 200,000,000 as being able to read or write, and about 1 per cent. of it as being able to speak English; and even of the 10 or 12 millions who may be said to have that moderate amount of education, namely, the capacity to read and write, about three-fourths cannot be said to have really anything more than a rudimentary education. I am in great hopes that all that has been done, and all that is being done at the present moment, will vastly increase the amount of education in that country, and more rapidly than has hitherto been the case. I think there are signs of improvement from one end of India to the other in that direction; but that all shows how careful we must be in dealing with matters of that kind, and that we should not take a step from which it may be difficult to recede promptly should it not answer. This debate has settled three points. In the first place, it has shown that no man in his senses would ever think of having Parliamentary constituencies there such as we have in England. They are absolutely unsuited to the Eastern habits and absolutely unsuited to a country like India. But I go one step further, and I say that my second point is that no one in his senses would ever think of introducing into India in its present state anything like our English Parliamentary Government. That is a matter which you must put aside absolutely and entirely from your view. Just think how entirely different are the conditions of the two countries. What is the meaning of an adverse vote here? It means, according to Parliamentary Government, that the Government has to retire, and that some other Government must take its place. But in India what is there to take the place of the Government? The Government itself cannot change its officers, and that Government is not responsible, except morally, to any local authority, but is responsible to the Sovereign and to the Imperial Parliament. That Government must remain paramount, and must continue the paramount power in the country, whatever the votes of the Council may be. Thirdly, I think, that everyone was entirely agreed that there was a vast difference between the Supreme Council and the Local Councils. I thought the doctrine laid down by the noble Earl as regards the Supreme Council was that which was almost universally held, as I believe it to be absolutely true, namely, that it is one of the most dangerous things you can do rashly to touch the Supreme Council of India. But do not think, my Lords, because I say that we must exercise caution, or because I have laid down those main principles which I believe are universally agreed upon, that either myself or the Government to which I have the honour to belong have not the fullest wish to extend the representative elements as far as possible—to throw the Government of India open to the natives themselves, and that we are not glad to avail ourselves of their services in the interests of the country as far as that can be safely done. There is no doubt that the intelligence, knowledge, experience, and ability of a vast number of the natives of India is of great value to the Government of that country, and it would be very difficult to hold the position we do in that country unless we take every advantage of their services whenever we can. But have we not taken steps in that direction? First,

we have the Local Councils already largely decentralised; we have decentralised finance; we have increased local responsibility. I, for one, am perfectly prepared to add to that responsibility and to decentralise further as far as we can do so. We have had the municipal legislation of the noble Earl, the Local Board legislation of the noble Marquess. All this shows that we have been willing and ready to avail ourselves of the experience, knowledge, and intelligence of the native men from time to time as far as it can possibly be of service to us. Now I must say that I have taken one or two steps still further in that direction. Acting upon the Report of the Public Service Commission, I have practically thrown open more offices to the natives than were before available to them. By altering the age of the candidates from 19 to 23, I have done a great deal in order to enable the Indian natives to take advantage of that change in the Public Service—I will not call it concession, because I believe it is an act of justice—and to enable them to come over here and compete with their British fellow-subjects as they may be inclined to do. All that shows that the Government are not backward in availing themselves of native assistance where they can safely get it; and I say without hesitation, and the noble Earl and the noble Marquess have I am glad to say said the same thing, that this Bill is taking a longer step in the same direction. We have enlarged the numbers of the several Councils; we have given them the power of interpellating; we have given them the power of discussing the Budget even on those occasions when it is not necessary to introduce legislation for the purpose of the year's finance. All those are steps in the same direction. Now, the only fault that is found with this Bill, as far as I understand, is not with regard to anything which is contained in it, but as to something which has been left out of it; and the sole question, as far as I can gather from this debate, is really whether, as far as the Local Legislatures are concerned, there is to be any system of election, or whether there is not. The Government came to the conclusion that the state of India was not ripe at present for this principle of election. The time, no doubt, will come when the situation will be altered. We have had the Municipal Councils; we have had the Local Boards. There is no doubt that when first established they were, in many cases, comparative failures. The experience which has been gained in later years has shown that they are gradually rising to the responsibility which has been placed upon them, and on many occasions they have done excellent service, and they are very good institutions for the country. But sufficient time has not elapsed in order to enable us to form an accurate judgment as to the good work which, in the long run, they may do. Now, how is this question to be dealt with? The noble Marquess has said it is a very invidious duty for the Viceroy or for the Governors to nominate those Members of the Council. But the noble Earl and the noble Marquess have both avoided a very important point in discussing this question of representation, and that is, where are your constituencies to be found? I have heard no light thrown upon that subject by them, except the statement that there are such things as Municipalities and Local Bodies. But the Municipal Bodies are not chosen for the purpose of interesting themselves in questions which deeply affect the millions of ryots throughout India, but merely for the purpose of dealing with local matters; and I should think they were, probably, the most unfit persons in many cases to represent the mass of the ryots or cultivators from one end of India to the other. Universities are mentioned. Can anyone say the Universities would really represent the whole interests of India? There are no doubt Commercial Bodies, such as the British India Association, and Chambers of Commerce, but they are not Bodies known to the law, and it would be very difficult to give them a legal status for this particular purpose. Now, one word has fallen from my noble Friends which I think we ought to bear in mind. They have spoken of both election and selection. To my mind it is quite clear that the Governors should have this power of selection. The noble Marquess has given an instance of what happened in his own case when he was in India. What he wanted in that case specially was to have the advice of someone who was perfectly well acquainted with all the wants and necessities of the

landlord class in dealing with the question of the particular Province which they were dealing with. What did the noble Marquess do? He immediately consulted the British India Association, because he thought they represented the very class whose interests were going to be affected. When he consulted them they selected a man whom they presented to him, and he, having satisfied himself that he was as good a man as he could obtain for the purpose, immediately accepted him and nominated him to the Council. And he says he did that twice, and that in both cases it was done with the most excellent results. In my opinion, that is very much the course that might fairly be pursued under this Bill standing as it is. I have no objection, quite the contrary, that the Viceroy should consult any of those Bodies he chooses; that he should apply, say, to the Municipality of Calcutta or to the Universities, or to the Chambers of Commerce, or to the British India Association, and say to them—"You nominate one or two men to me, and I will appoint them to my Council when I am satisfied that they ought to be there." That is what my noble Friend did. But in those cases, as he says, they came practically as the representatives of the landlords; and so with regard to these representatives, nominated by these Bodies, approved by the Governor or Lieutenant Governor, or Viceroy, as the case might be, there would be a process of selection according to the will of these Bodies, to be followed by nomination on the responsibility of the Viceroy or Governor or Lieutenant Governor. In that way either of these Bodies might render good service to the Government of India—as good service as that which the noble Marquess received from the gentlemen whom he appointed. I do not know whether any of your Lordships happened to see in the *Times* the other day a short notice of this Bill. If so, if I remember rightly, this question was there raised. One of the Indian papers which generally takes rather a liberal view of these matters had said that although there was no representation by election introduced into the Bill yet they were satisfied that probably it might be wise to leave that for the future; but there was a statement made by one gentleman who is very well known in India and very much respected there, and who has been very much interested in all these Congress movements. I mean Sir Madhava Rao. It was stated in the *Times*, and I have every reason to believe it to be true, that he wrote in this way to Madras—

> "I do not much care about the non-concession of popular election, because careful observation and experience convince me that popular election at present would have ensured the failure of the extended Councils, whereas nomination would probably be their success."

And as you have to make a fresh start in regard to the right of interpellation it is of the highest possible importance, when you are increasing the numbers of natives to be introduced into the Councils, that they should be carefully selected for the purpose of assisting the Government in carrying out this new plan, and not for the purpose of thwarting it, or bringing forward crotchets of their own. I think in the few words which I have said, I have exactly stated the position. I think that it is wiser and safer to leave the power of nomination to the Viceroy, Governor, or Lieutenant Governor; and that, as in the case of the Act of 1861, a Despatch from the Secretary of State should accompany the Act, advising the Viceroy with regard to selecting the persons so to be added to the Councils that they should consult such Bodies as they might think best in their own minds and such as might be suggested to them for nomination; but that they should be nominated to the Council by the Viceroy, or Governor, or Lieutenant Governor on their responsibility, although it would be practically by the Bodies who might be consulted. I think that it would be much safer that we should act in that way than in any other, and that you should let the Bill stand as it is, remembering that in the proposed Despatch it would be pointed out distinctly to the Viceroy that he might get all the assistance he could from the highly-educated, commercial, agricultural, and other classes, and that in regard to persons who were recommended by the Bodies to whom he had applied, he should exercise his own discretion and nominate them, if he thought fit, on his own responsibility.

*THE EARL OF KIMBERLEY: My Lords, first of all, I wish to assure the

noble Viscount that in anything I say I do not intend in the slightest degree to speak in a hostile manner of his view. I look upon the Bill not as a long step, as he has called it, because I think a long step would scarcely be wise as regards the affairs of India, but as a substantial step in some respects, and I will certainly welcome the Bill. I will presently say something on the subject of the Councils, but there is in the Bill one very important change, indeed, apart from the question of Councils, and that is a right of interpellation. To give the right of interpellation, I believe, is the right thing to do; but, at the same time, I would not have your Lordships imagine, and I am sure those who are acquainted with India will not imagine, that it is a slight matter. The giving of a right of interpellation must be, as the noble Viscount has said, very carefully guarded. It must be obvious to anyone who knows the Parliamentary system that the right of interpellation may be made the means of harassing a Government, and unless the Government retains, as it will by this Bill, the full power of declining to answer where it thinks that to answer would be prejudicial to the public interests, I think the granting of the right of interpellation might lead to dangerous consequences, but, having said that, I must say that I think the time has come —and I think that is the opinion of most men who are experienced in regard to Indian affairs—when it is desirable to give the right; but in giving that right we must weigh the reasons against it, and I think the reasons in favour of conferring the right outweigh the reasons against it. The Government is perfectly helpless, as things exist, in regard to meeting the constant attacks which are made upon it. You have a free Press, which is not careful or sparing in its denunciations of the Government, and you have statements made, very often erroneous in fact, as well as poisonous and malicious in intention, and though, as it seems to me, there may be some danger accompanying the giving of this power, the reasons for giving it outweigh the danger, and it will be for the convenience of the Government in the long run that it should be given. I will only make one remark for the purpose of the noble Viscount considering it. It has occurred to me that some great crisis might occur in the affairs of India, though I hope there is no occasion to fear anything of the sort; but, of course, many things may occur in so vast a country, when the right of interpellation ought to be entirely suspended; and it seems to me to be worthy of consideration whether the Governor General should not on this subject possess the same power as he possesses on every other subject, namely, that he should be able, on his own responsibility, to suspend altogether the right of interpellation. That is obviously a different matter altogether from objecting to answer questions which may be addressed, because particular questions may be in themselves a source of objection and annoyance, and it would be only for the purpose of giving the Governor that necessary power which, in the case of autocratic Governments, must be lodged somewhere. With regard to the discussion of the Budget, I think no one of experience contends that that ought not to be conceded. But to allow Motions upon the Budget when there is no Bill before the Legislative Council, would be most disastrous and would lead to discussions without aim or objects. It would be quite contrary to our own practice that Members should be at liberty to make all kinds of proposals. It is desirable, on the other hand, that there should be some opportunity of expressing opinions upon the Budget of the year, even though no legislative measure is to be passed. Then with regard to the other matter alluded to by my noble Friend the Earl of Northbrook, as well as my noble Friend behind me, I mean the constitution for the future of the Legislative Council. I am far from not admitting that this is a matter of great delicacy, and on which there may be great differences of opinion as to whether the time has come or not for going beyond the nomination system. I agree with my noble Friend behind me that it is unfortunate, though I do not throw the least blame on the noble Viscount in that respect, that this matter was not dealt with two or three years ago. As my noble Friend reminded the House, an inquiry was suggested at one time which would have directed itself to this point, and the result of that inquiry would no doubt have been some legislation. But that

inquiry did not take place, and I think it is to be regretted that an opportunity has been given for a good deal of agitation in India upon the subject which would not have arisen if the matter had been dealt with earlier. But before I go to the particular provisions of this Bill, I should like to clear myself entirely from any possible imputation on the question of Parliamentary representation. I quite concede that it is entirely chimerical to entertain the notion that you can have a Parliamentary system in India. That it would be inconsistent with the whole system of our Government in that country, and not merely inconsistent with our system of government in that country, but inconsistent with the condition of the populations of India, the state of their civilisation, and the whole of the circumstances of the country. I cannot pretend to a tithe of the knowledge of India which many noble Lords in this House possess; but the slightest knowledge of that country will, I think, convince anyone that the notion of a Parliamentary representation of so vast a country—almost as large as Europe—containing so large a number of different races is one of the wildest imaginations that ever entered the minds of men. But while I say this, I am not at all inclined to disregard the progress which has been made in that country, or the efforts which have been made by the Congresses held in that country, though I do not know that they have been on all occasions marked by wisdom and statesmanship; still I believe that the native gentlemen who have taken part in these Congresses have done so with good motives and with loyal intentions, and I think we may legitimately consider and give every weight to the opinions they have expressed. At the same time, it would be a matter of regret, as the noble Earl (Northbrook) has said, that we should not take this opportunity of taking a little longer step than the noble Viscount has taken, and that longer step is to introduce some elective elements into the Legislative Councils. The noble Viscount asks, How is that to be done? I agree with my noble Friend behind me that no one in this country is really competent to carry out a scheme in detail for establishing a system of election in India, and I should not venture even to express an opinion in favour of it if I did not know that men far more competent than I am have, after full consideration of the matter, come to the conclusion that the time has arrived when that should be done. My noble Friend alluded to Lord Dufferin's opinion upon this subject. I am sorry to be obliged to repeat what he said, but it is no use to blink the matter. The opinions of Lord Dufferin are known to allt he world. I smypathise entirely wthi the feeling on the other side of the House at those views having become known by a scandalous divulgence of public correspondence. The Minute which is now published I now know, which I did not know before, must be an authentic Minute, because there is an extract in the Papers which have been laid before the House agreeing with it word for word. Now, in that Minute which has been no doubt stolen and published, we have the opinions of Lord Dufferin, which, as I have said before are known to all the world, in favour of election to the Legislative Councils; and however much I regret—and I cannot condemn too strongly the manner in which those opinions have been made known—we cannot divest ourselves of that knowledge which we possess. But if we had not that knowledge—improperly acquired as it has been—not by me, but by those who have published it, we should have the right to strongly press the Government to give us the opinions of Lord Dufferin. Lord Dufferin was the last Viceroy, and he could, therefore, form an opinion worth knowing on the subject. Lord Lansdowne, I am sure, would be the first to admit that he has not had sufficient time in India to be able to mature an opinion which can be possibly entitled to the same respect as that of the Viceroy, who gave his opinion after nearly the whole of his term of office had expired, and after he had had ample time to satisfy himself on any subject which he might have considered. I again say, my Lords, I do not at all wish to make this Bill the subject of attack; but I think it is scarcely fair to Parliament that we should have to legislate upon such an important matter as this without having in our hands the opinion of Lord Dufferin, who has had so recent and full an experience of the affairs and Government of India. I

again press upon the Government that, it being known to all the world what the opinion of Lord Dufferin is, it is perfectly in vain to attempt to exclude that opinion from any discussion of the subject My noble Friend, Lord Dufferin, who is an experienced man of affairs, must have practically considered the matter, and must have brought himself to the opinion, after consideration, that there were means in India by which the selection could have been carried out. We know him too well to suppose that he would have promulgated the opinion without the fullest consideration. He so plainly alludes to it, both in his Jubilee speech and in his speech on St. Andrew's Day, as to make it certain that he would not have spoken as he did unless he had made up his mind that this was not a mere academical opinion, but was a measure which could be practically carried into effect. I shou d like to know what his practical suggestions were. If I had been Secretary of State I should have asked him what were the suggestions he had to make and for the details of his plan and for some notion of what he thought was best to be done. But my noble Friend, and as I thought most wisely, has abstained from going into details on this subject, and I agree with him that we should only pass an enabling Bill. If you are of opinion that election in any shape should be introduced, you should enable the Governor General in Council to frame a measure to be sent home to be approved by the Government here if they think fit. There can be nothing more disastrous in the future than to attempt to pass Bills in this country, laying down details with regard to the government of such a country as India, and there is not merely the difficulty in passing such Bills, but the difficulty of amending them. Just imagine: We might, after passing a Bill, which we hope and believe would work well—it might be, on the whole, a sound and healthy measure—we might find, as almost always happens, that there were some defects in it requiring amendment. But if that were so, they could only be amended by another Act of Parliament, and I think any of us who have been engaged in politics in this country know that, however great the necessity for passing an Act may be, it is very difficult to get it passed, and although the Government might command a majority, there are very often persons who will for a hundred reasons prevent that Bill even being discussed. Consider the difficulty of the position you would be in if, after passing an Act of Parliament laying down details for the government of India, you found yourselves practically unable to get an amending Bill passed through the House of Commons. It ought to be a maxim with regard to all our legislation in reference to India to avoid detail legislation and to trust to the wisdom of the Viceroy in Council, subject to the approval of the Government at home to deal with details. I should have thought it was possible, my Lords, to frame some measure for allowing either Municipalities or Public Bodies to elect or to send up two or three names out of which the Governor General might select such a man as he desired. The noble Viscount says the Viceroy might practically do the same thing as my noble Friend (Lord Ripon) successfully did himself in the two instances which he mentioned. I would reply to him that you have in India as everywhere else to consider not merely the thing which is to be done itself, but the mode in which it is to be done. You have to satisfy men's minds. All these questions are brought forward by a comparatively small body, but at the same time it is a body of importance. You have created educated natives, and their influence will tend to increase, and they will hold opinions which though they may not find utterance still exist in the minds of a great many more people than appears on the surface. Looking at the state of the world at present I need not ask any practical man whether these demands will not increase. I think they will increase, and they will have to be taken some notice of. My feeling is this: that if you can safely —and upon this the whole matter turns— take some step in the direction of giving a representative element to these Councils, it will be a wise thing to do. The noble Viscount says aye; but are these representatives that you are going to obtain likely in any way to be the representatives of the great mass of the ryots, and of the masses of the population in India? My Lords, no one that you can

put upon these Legislative Councils can possibly represent the ryots of India. Upon the discussion on that Bill which my noble Friend referred to, the Bengal Rent Bill, a Bill of immense magnitude and difficulty, the passing of which reflected the greatest credit upon Lord Dufferin, the only representative of the ryots was the Government. Anyone who knows the circumstances of Bengal must be aware that there are no possible means by which anyone could have been found who would represent the ryots, and for a long time that must continue to be the case. But that does not entail that there are not Bodies in India whose opinions it would be desirable to have. For example, there is a most important body which you would have to deal with, the Mahometans of India. If you were to be guided entirely by the Hindoo popular opinion you would find yourself in great difficulty. But, I say, if you can from different Bodies obtain assistance in your legislation, based upon the selections of those Bodies themselves, you will strengthen yourself more than if you merely nominated even the same persons, because in the one case those persons would be respected as representatives to a considerable extent of important Public Bodies, and in the other case they would be looked upon as only nominees of the Government itself. I believe upon that point turns the whole controversy. If the Government were able to go as far as my noble Friend suggests, I think it would be a very fortunate circumstance. I think so, especially for the reason which my noble Friend the Marquess of Ripon mentioned; for I am extremely afraid of any Bill which will give a reasonable pretence for further agitation and demands at an early date. We require rest in these matters; you cannot always be tinkering at legislation, and you ought to be able to reply to any such demands that the matter has been dealt with, and that you must stand where you are. I cannot but fear that this Bill may, by not satisfying legitimate aspirations in India, fail to bring about that settlement for some reasonable time which all of us desire. I have not made these observations, my Lords, in the slightest in the spirit of hostility or of finding fault; but having myself filled at one time the office which the noble Viscount holds, I thought I might express my agreement in the main with my noble Friends behind me. But I go a little further on one point. I think it would scarcely be safe not to give some representation in the Supreme Council, if the principle of election is to be adopted; because if once you have given elected Members to the Local Councils I think that it would not be possible for any length of time to refuse election to the Supreme Council. In some way I should think it would be necessary to introduce the representative element there also, and that in the Supreme Council there should be the same opportunity of expressing opinions as is given in the subordinate Legislatures. My Lords, as far as the Second Reading of the Bill is concerned I most heartily support it.

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): The noble Lord who has just sat down invites us to consider the general course of events, and to infer from that, what is a perfectly legitimate inference, that we should not see the end of this question, but that whatever we did now the matter would be raised again and again. I quite join with them in that view; but it does not appear to me that he and those noble Lords who spoke before him estimate at its right value the intense gravity of the question they have raised. They did not seem to me to recognise how deep a responsibility must lie upon any Government, or upon any Parliament, which introduces the elective principle as an effective agent in the Government of India. It may be—I do not desire to question it—that that is to be the ultimate destiny of India; but the begining of that new principle is one of the gravest parting of the ways which it is possible for any Government to have to face. The principle of election or Government by representation is not an Eastern idea; it does not fit Eastern traditions or Eastern minds. We have seen some efforts to introduce it on that fringe of Oriental population with which we have some acquaintance in Europe. We know that an effort has been made to introduce it into Turkey, and I believe into Egypt, without having produced any palpable result whatever. An effort has been made also to introduce it

into Crete, and there I fear it cannot be said to have been a medium for producing peace and good Government in that country. The difficulty of introducing the elective principle, largely dependent upon the peculiarities of Eastern minds, is also to a great extent, as the noble Lord pointed out due to the fact that we have to deal with a deeply divided population. Representative Government answers admirably so long as all those who are represented desire much the same thing, and have interests tolerably analagous; but it is put to an intolerable strain when it rests upon a community divided into two sections, one of which is bitterly hostile to the other, and desirous of opposing it upon all occasions. We do not know how the Mahommedan and Hindoo populations if placed face to face with each other in elective representative Government would view each other; but we know, at all events, that one of the heaviest responsibilities and severest duties of the Government of India is to prevent the outbreak of hostilities caused by the profound differences between those two communities—differences in race traditions, history, and creed. These are some among the difficulties; and there is another difficulty which was not taken notice of by the noble Lord opposite in very clear language, but which was pointedly referred to by my noble Friend the Secretary of State for India, and that is that if you want to have the elective principle of Government, the first thing you have to find before you advance a single step upon your journey is a constituency; and a constituency is that which we are at present entirely without. We have been offered as a constituency for the representation of the warlike races of the Punjaub the aristocratic people of Rajpootana, and for the vast population of the ryots, spread over the whole of India, a body elected only for the purpose of making streets and taking care of drains. I do not think, without casting the least imputation or slur upon their patriotism or their capacity, that these urban representatives are either by their education or preparation, or the life they have passed through, fitted for the function of forming a constituency fitted to represent those vast interests which we have undertaken to represent. All I wish to say is this: that you must make up your mind upon the constituency that is to surmount the tremendous difficulties which the elective principle must have to contend with wherever it became an efficient force in India. You must make up your mind upon that constituency before you attempt to give legislative sanction to that principle. What appeared to me to be most alarming in the reasoning of the noble Lords opposite was that they think they can stumble and slip into this great change and that no harm would come to them if they had not taken count beforehand where their steps were to be placed or in what direction their journey was to be taken. You must not drift into an elective Government of India. You must make up your mind how you are to frame your constituencies, how those vast interests are to be represented before you consign yourselves to the care, charge, and government of the most powerful principle that affects political communities. Do not imagine that you can introduce it in small doses, and that it will be satisfied by that concession. At least, we know this of the elective principle from our experience in Europe, that wherever it has made for itself a small channel it has been able to widen and widen gradually, until all has been carried before it, and that is the danger of any action you may take in India. I hope we shall not imagine that when once we have consigned ourselves to this principle we can retrace our steps or take away the powers that we have given, or that we can undo the result of any mistake we may make. I therefore earnestly urge upon the House not to make so great a change without the most careful and circumspect examination of all the difficulties and dangers which surround it, not to slip into this great innovation, as it were, accidentally. But if we are to do it, if it has to be done, let us do it systematically, counting the cost, examining all the details, and taking care that the machinery to be provided shall effect the purpose of giving representation not to accidentally constituted Bodies, not to small sections of the people here and there, but to the living strength and vital forces of the whole community of India.

The Marquess of Salisbury

EARL GRANVILLE: My Lords, it is impossible not to remark how very much more strongly the noble Marquess has met the objections which have been stated upon this side of the House than has been done by the noble Secretary of State for the India Department. Really the speech of the noble Marquess put an absolute stop to any such suggestion as has been made. I think that argument has been put a little too high in this sense; it would be really supposed by the suggestion made by the noble Earl behind me, and which was supported by the noble Marquess, who, of course, was speaking with immense weight and authority upon this particular subject was as far as this House is concerned, that the House should amend the Bill and send out a complete cut-and-dried Parliamentary Constitution to India upon this occasion. But against that my noble Friend the Earl of Northbrook specially guarded himself, and he pointed out that we were not in a position to judge how anything of this kind was to be carried out, but that it was desirable to give the Viceroy or the Governor or Lieutenant Governor more power than he now possesses in order to carry out any such matters. It appears to me that the noble Marquess in his speech has dealt with the matter with great authority and weight. In regard to the opinion of Lord Dufferin, I think we are taking a very great responsibility upon ourselves; and I certainly do claim what the noble Viscount has not alluded to, that we are entitled to have before us all the Papers on this subject. To that there seems really no reason to object.

*LORD STANLEY OF ALDERLEY: My Lords, I desire to concur in the regrets which have been expressed on this side of the House upon the subject of omission in the Bill of selection or election of the new members of the Councils. The object in view is not so much representation as the independence of persons who might hold places in the Legislative Councils, and who are put there as nominees. Another objection that the Bill is too permissive has been removed by the speeches of my noble Friends the Marquess of Ripon and the Earl of Kimberley. As my noble Friends have said, the fact of the Bill being permissive will aid its passing through Parliament; and if there were anything in the Bill which at a future time might require alteration, it could only be amended by Act of Parliament. My noble Friend the former Viceroy referred to the Municipalities and to the progress which they have made. Lord Reay stated last month at Poona that in 1884-5 the elective principle was in operation in 24 Municipalities only. At the end of last year it had been extended to 120 Municipalities with 896 Commissioners. So that in Bombay there would be these Bodies to be consulted. Clause 4 says that the proportion between official and non-official members under the Indian Councils Act of 1861 is to be the same as before; so that the number of new official members will be very small. My Lords, if this Bill goes out to India as it is now, it will be a great disappointment to the Indian public. Some persons will not allow that there is an Indian people. The noble Viscount said that there was no real people of India, but only a collection of races of various languages, religions, manners, and customs; but there is no nation of Europe which is not so composed, even in the United Kingdom. And as Voltaire said of England, "It is a country of a hundred religions, and but one sauce," and the people of India also have one sauce, which prevails from one end of the country to the other; that is—curry. The Government will deceive itself if it does not recognise the great progress in India in regard to unity. It is becoming one through the spread of the English language, through the Penal Code, and through the railways; and Mr. Gladstone has said that he desired the amalgamation of the armies of India because it would promote unity in the same way as occurred in Italy from sending the troops from one end of the country to the other. Now, my Lords, with regard to the Parliamentary Papers, and the right of Members of the Councils to put questions, I must protest against the Secretary of State for allowing the Indian Government to corrupt the Queen's English by the use of the word "interpellation." What is meant by that word? It is used as meaning "interrogation," but it means nothing of the kind. Reference to dictionaries will show that in Latin and English it means interruption of a speaker: in French it is a phrase of legal procedure. During

Louis Philippe's reign it was a constant habit of French Deputies to jump up and interrupt Ministers; and then it got to be applied in France to anything addressed to a Minister. The first time I heard the word used in this House was by the late Lord Clarendon. The noble Viscount might ask me, why I did not then object to it? It was because I had been promoted by the late Lord Clarendon when he was Foreign Secretary, and I stood in the position towards him of nominee, and therefore, I naturally shrank from finding fault with his language. I cannot help feeling what an entire absence of independence, therefore, there would be on the part of nominees if put into the Councils. With regard to the right of putting questions, I think that is most important for this reason: that every one of the acts of injustice and maladministration that I have had to complain of in this House have originated with the inferior class of Civil servants. They have gone on being supported by those above them until the Governor General has been to some extent pledged to support them. If those matters could have been brought before the Council those acts of maladministration or injustice might have been stopped. I need not mention old grievances, but will refer to an instance that is going on at this moment. As your Lordships may be aware, the demolition of a Hindoo Temple has been ordered, and the order has been carried out. No doubt, Sir Stewart Bailey will inquire into the matter; but if there had been a possibility of putting a question to the Lieutenant Governor upon it, such an abuse of power might not have taken place. My Lords, I shall put an Amendment on the Paper with regard to placing a limit upon the right of putting questions, and I hope the noble Viscount will be able to accept it.

On Question, agreed to; Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

STATUTE LAW REVISION BILL.—(No. 23)

COMMITTEE.

House in Committee (according to order).

EARL FORTESCUE: I beg to say, my Lords, that I do not desire to amend the 2nd clause which has reference to the 2nd schedule; but before the Bill passes through its final stage, I should wish to call attention to some of the legislation which you are about to expunge from the Statute Book.

THE LORD CHANCELLOR: Before the Report is moved, I have to state to your Lordships that, before the Bill is re-printed for the Third Reading, the Amendments will be accepted.

Bill reported without Amendment; Amendments made: Bill to be read 3ª on Monday next; and to be printed as amended. (No. 33.)

COUNTY COUNCILS ASSOCIATIONS, [EXPENSES] BILL.—(No. 32.)

SECOND READING.

LORD HERSCHELL: My Lords, the object of this Bill, which has passed through the other House by common consent without opposition, is to enable the Councils of counties to contribute out of their General Fund a sum which I believe has been fixed by arrangement with the Local Government Board not to exceed £31 10s. towards the expenses of an association of the County Councils. It has been found that great advantage has been derived from the association of the Municipal Councils, and the conclusion has been arrived at that advantage will also be derived if a similar course be taken by the newly-formed County Council. The principle is one which has been recognised as regards other Bodies. In the case of Poor Law Guardians, for example, there is power given for paying their expenses when they are attending Conferences on Poor Law matters generally. It is a very small sum; as I have stated, it is limited to £31 10s. in any year.

Moved, "That the Bill be now read 2ª."

THE MARQUESS OF SALISBURY: I do not know whether the noble and learned Lord is in a position to explain how that particular sum is arrived at. There is a singular particularity about it which is very striking, and I should be curious to know how it has been fixed.

LORD HERSCHELL: I may explain that the sum is, in fact, 30 guineas. My noble and learned Friend, Lord Bramwell took great exception to the amount in guineas—he said the guinea was now an

antiquated sum; but I have not dared to touch it because that figure has been fixed by the Local Government Board as the limit beyond which they will not go.

*THE EARL OF JERSEY: I think I can explain it. The sum of 30 guineas was fixed upon in order to enable the larger County Councils to pay a larger sum in proportion to the populations they represent. The smaller County Councils pay only 10 guineas. In Yorkshire, for instance, as they are entitled to pay more, they will have a larger representation. The £31 10s. is the limit. I have only further to say that the measure meets with the approval and support of the Local Government Board, and it is considered a very useful one.

*THE EARL OF KIMBERLEY: Perhaps it is a formal sum like the 6s. 8d. which solicitors are accustomed to set down in their charges.

*EARL BEAUCHAMP: The explanation given by the noble Earl has rather relieved my mind. I must confess when I read this Bill and did the simple sum of multiplication required, I found that the sum to be raised would not be much short of £2,000 a year for the purpose of keeping up an organisation in order to enable County Councils to communicate with each other. Now, I think that sum is out of all proportion for such purposes, and that mischief might ensue from raising so much. I venture to submit to Her Majesty's Government, therefore, that some limit should be placed on this amount in accordance with the explanation given by the noble Earl. I do not think it would contribute to the satisfactory working of the County Councils if they are to have an office in London with an able secretary at a salary of £1,000 a year, who will have nothing to do but to stir up the County Councils to agitate in matters which are not at present committed to them. It would not conduce to the harmonious working of County Councils, and I would only point out to my noble Friend that if they acquire solidarity among them it will be impossible for them to refrain from urging their wishes in a voice of thunder at the doors of Downing Street; and I think the Government will be creating a Frankenstein for themselves if they allow this Bill to pass in its present shape, and that they may hereafter find the monster they have created difficult to resist.

THE MARQUESS OF SALISBURY: I am perfectly aware that this has been regarded as a Bill for the purpose of enabling the screw to be applied to the Exchequer, but I am not afraid of a Frankenstein at £2,000 a year—we are accustomed to deal with much larger Frankensteins than that; and I think my right hon. Friend, Mr. Goschen, will be able to look upon this one with equanimity.

*THE EARL OF JERSEY: When the rules were drafted the sum agreed upon as the subscription was 10 guineas for the ordinary County Councils. But then some of the Councils wanted larger representation, and it was agreed that if they had a larger representation they should pay more. It was intended that each County Council of ordinary size should only pay 10 guineas.

On Question, agreed to.

Bill read 2ª (according to order).

LORD HERSCHELL: As this Bill only consists of one clause of the most simple character, I think your Lordships will agree it is not worth while sending it to a Standing Committee in the ordinary way, and, therefore, I move that it be dealt with by a Committee of the whole House.

Bill committed to a Committee of the whole House on Monday next.

STANDING COMMITTEES.

NEW STANDING ORDER.

Moved to resolve,

"That Standing Committees shall not sit without special leave during any sitting of the House."—(*The Lord Brabourne.*)

THE MARQUESS OF SALISBURY: I will only say that I accept this Amendment in view of a notice which I have given that on Tuesday the House should sit at a later hour, so that the sitting of the two bodies together should be avoided.

On Question, agreed to.

Ordered, That the said resolution be declared a Standing Order, and that it be entered on the Roll of Standing Orders, and be printed. (No. 34.)

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Knutsford to the Standing Committee for Bills relating to Law, &c., for the consideration of the Colonial Courts of Admiralty Bill; Read and ordered to lie on the Table.

ARCHDEACONRY OF CORNWALL BILL.—(No. 5.)

Read 3ª (according to order), and passed, and sent to the Commons.

House adjourned at Seven o'clock till to-morrow a quarter-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 6th March, 1890.

PRIVATE BUSINESS.

THAMES WATERMEN AND LIGHTERMEN BILL.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.0.) MR. LAFONE (Southwark, Bermondsey): I beg to move that the Bill be read a second time on this day six months. In the first place, I maintain that it is not a measure which ought to be brought in as a private Bill; its object is to abolish the privilege of certain persons to act as lightermen upon the river Thames, and its provisions are of such a nature that I think it ought to have been introduced as a public measure. An attempt was made to deal with this question in 1881, but owing to the unanswerable arguments then made use of by the present President of the Local Government Board (Mr. Ritchie), the then President of the Board of Trade (Mr. J. Chamberlain) withdrew the Bill. It was afterwards brought in as a public Bill, but fell, stillborn, and never came to a Second Reading. My principal objection to the Bill is that it proposes to do away with the privileges of the lightermen of the City of London. In a statement presented to the House in favour of the Second Reading of the Bill, it is said that there are only 5,000 men employed, whereas there are upwards of 7,000, and 3,000 apprentices. The circular issued by the promoters shows that the measure is really aimed at the lightermen on account of the part they took in the recent dock strike, but the men have all along expressed their readiness to leave the matter in dispute to arbitration. I have had some experience of that matter, having presided over a meeting of 1,200 of these men; and I know that their action, instead of prolonging or intensifying the strike, brought it to a more speedy termination. Since then they have shown their determination to adopt arbitration instead of strikes, by refusing to assist the gas stokers in their strike. Every man is obliged to pass an examination before becoming a licensed waterman, although apprentices of two years' standing may, under certain conditions, navigate small craft. For 40 years I have employed these lightermen, and millions of property have been under their care. With very small exceptions, that property has been carefully safeguarded; and if we are to throw the calling open, and have no licence or guarantee that efficient men are to be entrusted with such an enormous amount of property, the result will be a large increase in the insurance charges on goods, and the navigation of the river will certainly not be benefited. There are black sheep among every class of men, but these, as a rule, form a very respectable class, who do their duty to their employers, and I think that no case has been made out for the abolition of their privileges. What I desire to see is that the security of life and property on the river is preserved, and that men against whom no substantial complaint has been made shall not be deprived of the status which they at present occupy. I strongly oppose this Bill because I am of opinion that it is improper to deal with so wide-reaching a question by a private measure. I beg to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Lafone.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR E. GREY (Northumberland, Berwick): As my name is on the back of the Bill, it is desirable that I should say a few words. I understand the hon. Member for Bermondsey (Mr. Lafone) to bring forward three arguments against the Second Reading. The first may be disposed of at once, for the Bill has nothing whatever to do with the recent labour disputes in reference to the dock strike. I think the justification for the Bill is to be found in the Report of the Committee of 1879, which inquired into the condition of the traffic on the Thames. That Committee could have had nothing to do with the labour disputes which took place last autumn. In the second place, the hon. Member says that there are a large number of men who now possess privileges which will be injured by the passing of this measure. I am prepared to grant that we should not stand in the way of the efficient and complete management of the river, and, so far as the question of compensation may be concerned, that is a detail which, I think, will justify the House in sending the Bill to a Select Committee. The present President of the Local Government Board opposed the Bill of 1881 because it was not confined to a particular locality, but affected the whole of the Thames. It affected the Counties of Middlesex, Surrey, Kent, Sussex, Oxford, and Berks, but this bill only affects that part of the Thames which lies between Gravesend and London Bridge. Therefore, the arguments which were used in 1881 do not apply to the present measure. The Committee which inquired into the former Bill reported strongly against the present system, and stated that the monopoly of the Watermen's Company had the evils usual to monopolies, and that it should be put an end to. I think there ought to be some strong argument to show why the House should not accept the finding of the Committee of 1881 and send the present Bill to a Select Committee. I see no objection to the Amendment of the hon. Member for Poplar (Mr. S. Buxton), which proposes that the Bill should be sent to a hybrid Committee.

*MR. S. BUXTON (Tower Hamlets, Poplar): Two preliminary objections have been raised against this Bill. The first is, that the Bill ought not to have been introduced as a private Bill, but as a public measure. It has also been said that it is promoted as an act of revenge for the conduct of the lightermen in the late strike. I am not very much concerned about these objections. I think that the hon. Member for Berwick (Sir E. Grey) has shown the House a *primâ facie* case for the introduction of the Bill as a private Bill; though I think myself that in a Bill of this kind, dealing, as it does, with so many interests, it would have been better if its promoters had followed the example of the right hon. Member for West Birmingham when President of the Board of Trade, and had introduced it not as a private, but a public Bill. My hon. Friend has said that this Bill has been in no way dictated by the strike which took place on the Thames last year. That may or may not be the case. But the first paragraph in the promoter's statement calls attention to the conduct of the lightermen in the late strike. That, however, is not a matter which affects the principle of the Bill, though it clearly affects the question of the expediency of introducing the Bill at the present moment. I have put down on the Paper an Amendment to refer the Bill, if it should be read a second time, to a hybrid Committee. At the same time, I shall vote against the Second Reading of the measure, because I do not think it is a Bill which can be justified on its merits. It is about the crudest Bill that was ever presented to the House. The statement of the promoters and the speech of my hon. Friend go to show that there should be considerable reforms in the mode in which the navigation of the Thames is carried out, and that at present there is a monopoly. I am opposed to monopolies, and I think there are few vested interests which we need be tender about. But I believe that if this subject is to be dealt with at all we ought to have a Bill dealing not only with the question of the lightermen, but with many other questions affecting the conservancy of the Thames. Are all the evils of the navigation of the Thames

which are spoken of to be remedied simply by allowing anyone to become a lighterman on the Thames? I do not deny for a moment that there are many anomalies connected with the matter, and that there are many reforms that ought to be introduced. I am certain also that the men themselves would be willing that the whole question should be properly gone into upon a fitting occasion, and that the Board of Trade should introduce a Bill something like that of the right hon. Member for West Birmingham in 1881, dealing with the whole question in a large manner. It is agreed that it would be a good thing to demolish a number of the authorities which at present control the waterway of the Thames; but this Bill does not propose in any way to deal with Watermens Court. Then what I am entitled to ask is that this House should not accept such a miserable abortion of a Bill if it really desires to raise the question of the free navigation of the Thames. If we are are going to deal with these questions we should do so on broad lines, so that some good result may ensue. I am afraid that my hon. Friend does not fully appreciate how important it is that those who manage the barges on the Thames should be men skilled and trained, properly licensed, and properly registered. I should certainly be sorry if this Bill were passed to find my hon. Friend and those who support him, attempting to navigate a barge on the Thames. They would certainly do it with serious risk not only to navigation, but to themselves. I am afraid that the present Bill only touches the fringe of the subject, and if it is read a second time I shall certainly endeavour to get it referred to a proper Committee.

COLONEL HAMILTON (Southwark, Rotherhithe), (who was very indistinctly heard), said: Several Bills have been introduced into this House with a view of regulating the rights of the lightermen, and in each case, on being referred to a Private Bill Committee, it has been shown that the operations of the Watermen's Association have been beneficial to the public and conducive to the preservation of the safety of the river. In 1881 a Bill was introduced which had upon the back of it the names of the right hon. Gentleman the Member for West Birmingham, the President of the Board of Trade, and of Mr. Evelyn Ashley, the Secretary of the Board; and that Bill, after a full discussion, was withdrawn. A private Bill was then introduced, of which nothing has been heard from that day to this. Last year the dock labourers, as a Trades Union, struck, and the lightermen, having nothing to do, thought that a favourable time to put their claims for an increase of wages before the employers, and consequently struck also. Their position was very plain. Instead of availing themselves of their Charter, they took advantage of a general strike in the docks in order to make good their claim to higher wages. This Bill simply deals with the fringe of the question. If it were passed, the simple result would be that there would be no control over the traffic at all. There would be no power to prevent a yokel from Lancashire or Yorkshire taking command of a penny steamboat and rushing up and down the Thames. What, I think, we have to bear in mind is the interests of the thousands of persons who are in daily use of this highway of the Thames, and in their interests I ask the House to throw out the Bill.

*MR. T. SUTHERLAND (Greenock): I intend to vote for the Second Reading of the Bill. It is said that the measure has been introduced in consequence of the action of the lightermen in connection with the late dock strike. So far as I am concerned this is not the case; but I am not prepared to endorse the view that the intervention of the lightermen in that strike was of that beneficent character which has been represented, and I am very much inclined to believe that throughout that strike they fought exactly like Hal o' the Wynd for their own hand. I can assure the House that in the course I am taking I have no desire to punish the men for the events of last year. My sympathies during the strike were to a great extent, if not entirely, with the labourers. But I think it is time that the ancient privileges which the Bill seeks to attack should come to an end. I agree that, whatever changes are effected, ample provision should be made to avoid accidents by allowing competent men only to take charge of vessels. I do not think the present system is a guarantee against mishaps. On the contrary, under it there is an amount of blundering and carelessness in the hand-

ling of craft which ought not to be permitted and would not be tolerated under a free system.

*MR. BOORD (Greenwich): I rise for the purpose of supporting the Amendment, and I am afraid I must endorse the opinion that the Bill has been introduced as a matter of revenge in consequence of the action of the lightermen in the strike of last year. I am afraid that hon. Members of this House very rarely give themselves the trouble of examining the contents of private Bills, and the statements which are delivered to them in respect of them. A statement has been delivered this morning in favour of this Bill, and, to my mind, that statement is the strongest argument against it. It is said that, in order to obtain a licence from the Watermen's Company, the applicant must have served a five years' apprenticeship and have been for two years constantly employed on the river. If that is so a provision is made that none but skilled persons shall be employed in the navigation of the river. This Bill proposes to do away with that privilege and safeguard, and it puts nothing in its place. If the Bill proposed to substitute any other method of securing skilled labour it might be worth consideration, but it simply consists of two abolition clauses which are not replaced by anything at all. I, therefore, think that the proposal is not one which ought to be entertained by the House. The promoters of the Bill say that the safeguards and the examination provided by the Court of Watermen is illusory; but I think we are entitled to demand that the Government, before they give their assent to a Bill of this kind, should provide for some improvement in the navigation of the river before removing the little safeguards we have and replacing them by nothing at all.

*MR. CUNINGHAME GRAHAM (Lanark, N.W.): I rise for the purpose of opposing the Bill, and for a very specific reason. The hon. Member for Greenock (Mr. T. Sutherland) has put the case from a capitalist's point of view. I wish to put it from the point of view of the poor—the men who navigate the barges. Whether rightly or wrongly, there has undoubtedly arisen in the minds of these men a feeling that this Bill has been introduced in order to punish them for their participation in the dock strike. Now, I fail to see why these men should not have acted in the way they did during that strike or why they should find themselves punished now for their action on that occasion by the introduction of this Bill. An hon. Member spoke about a monopoly being enjoyed by the lightermen. It seems to me a somewhat curious thing to talk about a monopoly in a country where the Shipping and the Railway Companies are allowed to plunder the public right and left. I am, of course, opposed to these further monopolies. Some hon. Members cannot, I am sure, be aware of the miserable wages obtained, and the long hours worked, by the men who enjoy this monopoly. Sixpence an hour is about the rate of wages, and 12 or 13 hours the hours of labour. I oppose the Bill, also, because the promoters of it have introduced it in order to further a scheme of free competition. I think there can be nothing more conducive to the misery of the working classes on the riverside and on the River Thames than this system of forcing wages down. Even at 6d. an hour the men are to have no monopoly. It is upon these grounds that I oppose the Bill: first, because it does not deal with the question in a comprehensive manner; and, secondly, because it would hand over the navigation to unskilled hands, and imperil life on the river, and, at the same time, make competition keener.

MR. J. CHAMBERLAIN (Birmingham, W.): In 1881, when I was President of the Board of Trade, I introduced a Bill dealing with the privileges of the Watermen's Company. I do not wonder at the opposition of Metropolitan Members, though I have listened with some astonishment, and a good deal of amusement, to my friends on this side of the House—for Liberals, and even those who belong to the extreme Radical branch, are actually defending things which, I had imagined, were abhorrent to their principles—defending, in fact, a close monopoly and an ancient City Company, as well as rights that are as ancient as the Statute of Edward III. The argument that this Bill has been introduced out of revenge may be set aside, seeing that I myself introduced a Bill in 1881 when the dock strike was not even thought of. There is no ground why the

lightermen should have the sole monopoly —a monopoly that has worked badly in practice, inasmuch as it has been proved that the monopoly is enjoyed without sufficient examination. It has been said that the navigation of the Thames might be imperilled by the passage of this Bill. The persons most interested in the navagation of the Thames declare that there is at present no security, and that greater security will be obtained if there is some choice of men. This Bill is complete as far as it goes, and it does away with one of those remaining monopolies that in the 19th century are absolute anomalies. I do not agree that, having done away with it, there is any necessity to put anything in its place. Why should it be more necessary to have a Licensing Body for the Thames than for the Tyne? Under all the circumstances, I hope the House will assent to the Second Reading of the Bill, and send it to a Committee by whom all the questions connected with it will be considered.

(3.55.) The House divided:—Ayes 125; Noes 73.—(Div. List, No. 22.)

Main Question put, and agreed to.

Bill read a second time, and committed to a Select Committee of nine Members, five to be nominated by the House and four by the Committee of Selection.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That five be the quorum.—(*Mr. Sydney Buxton.*)

QUESTIONS.

RIFLE RANGES.

MR. MILVAIN (Durham): I beg to ask the Secretary of State for War whether his attention has been called to an accident which happened on 12th October, 1889, to a youth named Alexander Barras, whilst marking at a rifle-shooting match betwen the 5th (B) Company of the Durham Light Infantry and the Blaydon (H) Company of Rifle Volunteers at the Bues Hill Rifle Range, Blaydon-on-Tyne, in the County of Durham, whereby the youth was struck by a splinter of lead in the eye, which necessitated the removal of the eye; whether the accident was in consequence of the defective condition of the marking huts at the said Bues Hill Rifle Range; whether he will cause an inquiry as to the alleged dangerous position of the rifle range; and whether he can grant some compensation to the youth for the injuries he has sustained?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I have examined the facts of this case, and I find no evidence to show that the marking huts are defective or that the range is in a dangerous position, but the accident appears to have been due to carelessness in shooting. The boy was engaged to mark, contrary to the regulations, and no responsibility legally falls upon the War Department. But I will consider whether it is not a case where some small grant might be made out of compassion.

THE CIVIL SERVICE—FIRST DIVISION CLERKS.

MR. LAWSON (St. Pancras, S.): I beg to ask the Chancellor of the Exchequer what steps have been, or are to be, taken to carry out the recommendations of the Royal Commission on Civil Establishments in their Second Report to reduce the number of Clerks of the Upper or First Division of the Civil Service in the different Departments, and to enforce a deduction from salary with an equivalent contribution from the State to provide a Superannuation Fund, a special account being kept for each individual?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I must refer the hon. Member to the answer I gave in the House on Tuesday as regards the first part of his question. But no time is being lost in carrying out the reduction of the Upper Division, which can only be effected as vacancies occur in the several Departments. With regard to making deductions from salaries towards a Superannuation Fund, Her Majesty's Government have no intention of applying any new scheme compulsorily to existing Civil Servants. The subject in the case of new entrants is of the greatest complexity. It involves not only the question of deductions from salary and of new scales of salary which may be necessary in view of these deductions, but also the difficult problem of building up a Fund. Inquiries which I have

been making into other Superannuation Funds show the extraordinary difficulties that have to be overcome before securing the solvency of such Funds, and several of them I have found to be insolvent.

CYPRUS.

COLONEL BRIDGEMAN (Bolton): I beg to ask the Chancellor of the Exchequer whether, having regard to the statements he made in the House on the 26th of November and the 17th of December, 1888, it is the intention of the Government to take any steps to relieve the inhabitants of Cyprus from excessive taxation, either by commuting the Tribute to the Porte or by providing a fixed grant in aid?

*MR. GOSCHEN: The Government has never contemplated providing a fixed grant in aid. As regards the question of commuting the Tribute, the difficulties that stood in our way have not yet been removed.

TENURE OF FISHERMEN'S DWELLINGS IN SCOTLAND.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate whether he is aware that some years ago forcible possession was taken of a dwelling house by the landowner in the fishing village of Inverallochy, East Aberdeen; that a case is now pending in the Sheriff Court of that county, between a man, named William Strachan, and Colonel Fraser, of Castle Fraser, the former claiming to be the lawful owner of the said house, and the latter the undisputed owner of the ground rent; and that, in consequence of the dispute, a summons has been served upon the said William Strachan, to remove his whole goods and gear from another house and store in which he is at present in lawful possession, and which is his only means of earning a livelihood; and whether, having regard to the fact that the Law as to the tenure of fishermen's dwellings in Scotland is frequently governed by custom, and is uncertain and complicated, and taking into account the whole circumstances and the danger to the peace of the community, he will endeavour to stay the threatened evictions until the Government are able to deal (as promised) with Scotch allotments and fishermen's dwellings?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have made inquiry into this matter, from which it appears that the question between the parties is one of facts, which will, no doubt, be laid before the Sheriff in the action Colonel Fraser has brought against Strachan, in consequence of his having paid no rent on either holding for a considerable number of years. It would not be advisable for me to make any statement, or to interfere in any way with a matter which is now *sub judice*.

SCOTCH HERRING FISHERY.

MR. KEAY (Elgin and Nairn): I beg to ask the Lord Advocate whether the Act of 11th George 3, being an Act for the encouragement of the white herring fishery, is still unrepealed in regard to Scotland; whether his attention has been drawn to the provisions of cap. 31, sec. 11, under which every person or persons employed in such fishing are entitled to the free use of all shores and forelands in Great Britain, or the island belonging thereto,

> "Below the highest high water mark, and for the space of one hundred yards on any waste or uncultivated land beyond such mark,"

for landing and drying their nets, &c., and for making all structures necessary for curing fish, &c.,

> "Without paying any foreland or other dues or any other sum or sums of money, or other consideration whatever for such liberty;"

and also to the further provision of the Act—

> "That, if any person or persons shall presume to demand any such money or other consideration for the use of such shores or forelands, he shall for every such offence forfeit the sum of one hundred pounds;"

whether he is aware that fees for drying nets, and for permitting such necessary structures to be made on such shores and forelands, are now exacted by the landlords on the East and West Coasts of Scotland, and in the islands; and if the above quoted Act is in force, is Her Majesty's Government willing to take any steps to insure that effect is given to its provisions as above set forth?

*MR. J. P. B. ROBERTSON: I am acquainted with the provisions of the Statute referred to, of which the section quoted and two others remain unrepealed. I have no information that fees are charged for the use for statutory

purposes of what is foreshore or waste or uncultivated land within 100 yards of high water mark. If the hon. Member will furnish me with specific instances of such charges I shall make inquiry regarding them.

CHARITIES AT NEWBOLD-ON-AVON.

MR. COBB (Warwick, S. E., Rugby): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) how many charities exist for the benefit of the inhabitants or poor of the parish of Newbold-on-Avon, Warwickshire, under the wills of George Millington, John Spiers, and —— Pearson; whether there are any other charities affecting Newbold-on-Avon, and, if so, under what wills; whether he can state the dates when the accounts were last rendered relating to the respective charities, and the names of the trustees of each of them; whether the vicar and churchwardens of Newbold-on-Avon have been repeatedly asked by the Charity Commissioners for the accounts of Millington's and Pearson's Charities; whether an order has recently been made, and, if so, when, peremptorily ordering the rendering of these accounts; whether, in default of compliance with such order, proceedings will be taken against the vicar and churchwardens for contempt of Court; and whether similar orders will be made with regard to the other charities?

MR. J. W. LOWTHER (Cumberland, Penrith): 1. One only of the three charities named in the first paragraph exists at the present time, namely, John Pearson's Charity, Millington's and Spiers' Charities having been lost. 2. There is one other charity affecting Newbold-on-Avon, namely, Fosterd's Charity, which is applicable to the maintenance of a bridge over the river Avon. There are four charities affecting Long Lawford, which is a hamlet of the Parish of Newbold, namely, the Poors' Plot, Sir Edward Boughton's Charity, Smith's Charity, and Croft's Charity. 3. The accounts of Pearson's Charity for the four years ending December 31, 1888, were rendered on the 1st of March, 1890; the accounts of Fosterd's Charity for the year ending December 31, 1888, were rendered on November 20, 1889; the accounts of the Poors' Plot for 1888 at Long Lawford were rendered on Feb 4, 1890; the account of Croft's, Smith's, and Sir E. Boughton's Charities for the year 1889 were rendered on January 10, 1890; the trustees of Pearson's Charity are the vicar and churchwardens of Newbold-on-Avon; the trustees of Fosterd's Charity are Messrs. Caldicott and Norman; the trustees of the Poors' Plot the churchwardens and overseers of Lawford; the trustees of Smith's, Sir E. Boughton's, and Croft's the churchwardens of Lawford. 4. To the fourth paragraph the answer is yes. 5. A peremptory order for accounts from the trustees of Pearson's and Millington's Charities was made on January 17, 1890. 6. The reply to the sixth paragraph is that there has been no default. 7. No orders are necessary in other cases, the requirements of the law having been complied with.

THE DEDDINGTON MAGISTERIAL BENCH.

MR. COBB: I beg to ask the Secretary of State for the Home Department whether he has now been furnished with a print of the shorthand notes of the proceedings before the Deddington Bench of 27th September, upon the conviction of Mr. William Churchill of selling a bottle of whisky to Amelia Gilbey while she was in a state of intoxication; and whether, in view of the fact that these notes show that the only evidence of the defendant having supplied such whisky to Amelia Gilbey while she was intoxicated was that given by police-constable England and Gregory, a rural postman, the Chairman, H. C. Risley, Esq., stopped the defendant's solicitor from cross-examining England as to his character and credibility; that police-constable England was recently removed from a former place for drunkenness; and that there were six witnesses who gave evidence on behalf of the defendant to the effect that the woman was not drunk before the whisky was sold to her, against whose character or conduct nothing has been alleged, the Home Office will take any steps with a view of ascertaining if there has been a miscarriage of justice?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, East): The hon. Member has been good enough to supply me with a copy of the shorthand notes taken at the trial. They do not add anything

material to the facts of the case as I had ascertained them when I replied to a question of the hon. Member on February 17. There was conflicting evidence before the magistrates, but I see no ground for thinking that there has been a miscarriage of justice because the magistrate believed the witnesses for the prosecution rather than the witnesses for the defence.

LONDON ROYAL NAVAL ARTILLERY VOLUNTEERS.

MR. HANBURY (Preston): I beg to ask the First Lord of the Admiralty whether his attention has been called to five more letters in the *Globe* of 27th February, complaining of the laxity of discipline and the facility with which men are qualified as efficient, and retained as efficient, in order to qualify for the capitation grant of 30s., in the London Royal Naval Artillery Volunteers; what number of men received the capitation grant in the largest battery, No. 4, in 1888; whether it is the fact that no certificates were signed by the officer commanding that battery; and whether the capitation grant has been paid in other batteries without the certificates being duly signed?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The letters published in the newspaper referred to in the question have been brought to my notice. Exclusive of officers, 49 men in No. 4 Battery earned the capitation grant in 1888. There are two distinct certificates, only one of which is sent to and required by the Admiralty, namely, that on which payment of the capitation grant is made. This carries the signatures of the naval officer appointed by the Admiralty for the instruction of the corps and for examining each individual as to his efficiency, and of the commanding officer of the corps. This certificate was given for each person for whom the grant was paid in 1888 belonging to No. 4 Battery, and also for all other batteries. The second certificate is a personal certificate which was established and used in the corps long before any capitation allowance was granted to the Royal Naval Artillery Volunteers. It has been since modified to coincide with the new regulations. It is conferred by the same officers. It does not come to the Admiralty, and every qualified Volunteer can claim one. The method and time for their distribution are not laid down, and the practice varies in different corps. No complaint has been received at the Admiralty on the subject till now, nor does it appear that any Volunteer who, being entitled to a certificate, has asked for one has been refused. The capitation grant was paid in the case of the other batteries of the London corps under similar circumstances.

MR. HANBURY: The noble Lord stated the other day that the certificate was signed by the officer commanding the battery. Am I to understand that that was not the case?

*LORD G. HAMILTON: It is a somewhat complicated case. The certificate was signed by the instructor and countersigned by the commanding officer.

TELEGRAPH CLERKS.

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he is aware that second class clerks in the Central Telegraph Office in receipt of £75 a year and under have been promoted to the first class over the heads of clerks having longer service, higher salaries, and at least equal qualifications; and whether he will state the reason for such preferential promotions?

THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): Two telegraphists with the salary named, one a year ago and another nearly two years ago, were promoted from the second to the first class over the heads of others; but these others, unlike those that were promoted, did not possess the special qualifications necessary for the particular duties to be performed. Among these qualifications was a knowledge of shorthand.

THE REGISTRAR FOR FLINT.

MR. ROBERTS (Flint): I beg to ask the President of the Local Government Board whether his attention has been called to the inconvenience suffered by the inhabitants of Flint by the residence of the Registrar of the district being in Northop, a village three and a half miles distant from the Borough of Flint; and whether a petition to the like purport

has been sent to the Registrar General from the Town Council of Flint?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My attention has not previously been called to the subject of the question. I am informed by the Registrar General that he has received a suggestion from the town clerk of Flint for the sub-division of the existing sub-district; but this he has decided is impracticable. The Registrar General has, however, given directions that the Registrar shall attend twice a week at Flint, and, as the population of that borough is under 5,000 and the death-rate less than two a week, there can, in his opinion, be no necessity in the future for any inhabitant of Flint to travel to Northop for registration purposes.

THE PAYMASTER GENERAL ACT.

MR. MATTHEW KENNY (Tyrone, Mid): I beg to ask the Chancellor of the Exchequer when it is proposed to put in force the provisions of "The Paymaster General Act, 1889."

*MR. GOSCHEN: The arrangements necessary for giving effect to the Act are now under consideration.

CHRIST'S HOSPITAL.

MR. CAUSTON (Southwark, W.): I beg to ask the Vice President of the Committee of Council on Education what is being done to give effect to the Christ's Hospital scheme of the Charity Commissioners, which has received the sanction of the Privy Council?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The scheme was remitted by Her Majesty in Council to the Charity Commissioners for amendment, in accordance with the Report of the Judicial Committee. The amended scheme has since been submitted to and approved by the Education Department.

RAILWAY BRAKES—ACCIDENT AT CARLISLE.

COLONEL HAMBRO (Dorset, S.): I beg to ask the President of the Board of Trade if the brakes in use on the London and North-Western Railway are of a description that are liable to become useless when there are a few degrees of frost; if the Railway Company is expected to have sufficient hand-brake power to each train to stop it if the patent brake fails to act; and if a similar accident to the one which happened at Carlisle on Tuesday morning happened about 18 months ago at the same place?

*MR. CHANNING (Northampton, E.): May I also ask whether it is not one of the requirements of the Board of Trade in regard to the use of continuous brakes that they must be instantaneous in their action; and whether any Order has as yet been made to the London and North-Western Railway Company by the Board of Trade under the Railway Regulation Act, 1889, as to brakes, and, if so, what are the terms of such Order?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): No Order has yet been made, but the subject is under consideration. In regard to the question of my hon. Friend, I have to say that I do not think it is desirable for me to make any statement with regard to the question raised by the hon. and gallant Member until I have received the Report of the inquiry which I have directed to be made by one of the inspecting officers of the Board of Trade into all the circumstances attending the lamentable accident which happened at Carlisle last Tuesday.

In reply to a farther question by Colonel HAMBRO,

*SIR M. HICKS BEACH: I feel I cannot be too careful in not saying anything that may prejudge the inquiry which is about to be held.

THE ARMY MEDICAL DEPARTMENT.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War which of the recommendations of the Committee on the Army Medical Department will involve a largely increased expenditure?

*MR. E. STANHOPE: Considerable increase of charge is involved in each of the following recommendations: That the 50 brigade surgeons should be the 50 senior surgeons-major (or surgeons-lieutenant-colonel, as they are called in the Report); that medical officers on the Active List should be substituted for the retired officers employed at home: that medical officers should be attached for a definite period to regiments and corps; that the tour of foreign service should be decreased; that three months'

special leave should be given every seven years; that service shall date from entry at Netley; that higher pay should be given in India to certain ranks.

SCHOOL ACCOMMODATION—LEYLAND.

MR. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education whether the attention of the Education Department was called, in July, 1888, to the deficiency of school accommodation in Leyland; whether he has considered the Report of Her Majesty's Inspector, made by order of the Department, which recommended that an infant school should be provided; has any action been taken in consequence of the letter of the Department written on 12th August, 1889, suggesting the voluntary formation of a School Board for the purpose of supplying the required accommodation; and whether, seeing that it is the duty of the Department to enforce the provision of sufficient school accommodation, they will now proceed to act in accordance with their statutory obligations?

*SIR W. HART DYKE: The question is not free from difficulty; but upon a review of all the circumstances, and looking to the fact that the point involved is one rather of the inconvenient distribution of school accommodation, than of any actual deficiency, the Department, though ready to assent to the establishment of an infant school in the centre of this district, either by voluntary effort or by the ratepayers after the formation of a School Board, do not see their way to issuing notices and forcing such a school upon an unwilling locality.

POST OFFICE *EMPLOYÉS*.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Postmaster General whether any Order exists prohibiting Post Office servants from holding meetings in their own time outside the Post Office premises unless the Postmaster's sanction is first obtained; when and by whom such an Order was introduced; and under what Act of Parliament he derives the authority for interfering with the liberty of postal *employés* during their leisure hours?

MR. RAIKES: In reply to the hon. Member I have to state that an Order does exist prohibiting Post Office servants from holding meetings outside the Post Office building for the discussion of official questions. Such an Order was introduced in 1866 by the late Lord Stanley of Alderley, when Post master General. I am not aware of any Act of Parliament bearing on the subject; but it will be obvious that in the administration of a public Department regulations cannot always be confined to matters for which an Act of Parliament provides. I have recently sanctioned a meeting of Post Office *employés* outside the building of the Post Office, and I have been for some time considering how far I can amend the existing rule so as to afford reasonable facilities for such meetings being held.

MR. CREMER: Do I understand the right hon. Gentleman to say that the rule prohibiting meetings of *employés* outside the Post Office building has been framed exclusively upon the authority of a Postmaster General?

MR. RAIKES: Certainly, Sir. I presume that all the regulations in force at the Post Office have been established on the authority of successive occupants of the post which I now fill.

MR. FLYNN (Cork, N.): Does the discussion of the question of wages come under the rule prohibiting meetings with reference to official questions?

MR. RAIKES: I should think it does. I have recently afforded permission to the sorters in the Post Office to hold meetings outside the Post Office.

MR. PICTON (Leicester): Are we to understand that the Postmaster General has the power to restrict the Constitutional liberties of an important body of her Majesty's subjects?

*MR. WINTERBOTHAM (Gloucester, Cirencester): The House wishes to understand this question. Do we understand that the Postmaster General claims the right to issue regulations to control what the *employés* shall do throughout the whole of the 24 hours that go to make up the day—work hours and leisure hours equally?

MR. RAIKES: The point is not what they may do with their leisure, but the course they may take in regard to official questions.

MR. CREMER: I beg to give notice that, in Committee of Supply, I shall call attention to the un-Constitutional

authority now exercised by the Postmaster General, and move a reduction of the Post Office Vote.

THE MINES (EIGHT HOURS) BILL.

MR. PHILIPPS (Lanark, Mid): I wish to ask the First Lord of the Treasury whether he has received a memorial signed by 134 Members of the House, expressing the hope that an opportunity may be found this Session for the discussion of the Mines (Eight Hours) Bill; and whether, seeing that it is a Bill of immense interest to many thousands of miners, and that it has never been discussed in this House, the Government will endeavour to give a day for its discussion?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Yes, Sir; I have received the memorial to which the hon. Gentleman refers, and I hope it may be possible for hon. Members in charge of the Bill in question to find an opportunity themselves for its discussion, but it is too early for me to give any pledge on behalf of the Government.

FEMALE MEMBERS OF COUNTY COUNCILS.

COMMANDER BETHEL (York, E. R., Holderness): I desire to ask the First Lord of the Treasury whether it is true, as stated in the Press, that women at present sit on the London County Council; and whether, in that case, the Council is legally constituted; and if it is not, whether Her Majesty's Government propose to take any action in the matter?

*MR. W. H. SMITH: I am informed that it is true that two ladies sit on the London County Council. Their right to do so is a question of law, which it is not the duty of the Government to deal with, but I understand that the action of these ladies will form the subject of legal proceedings. It is alleged that the fact of disqualified persons taking seats at a Council does not in any way affect the legal constitution of the Council as a whole, but the disqualified persons by such action lay themselves open to legal proceedings.

THE CIVIL SERVICE ESTIMATES.

MR. HANBURY: I desire to ask the First Lord of the Treasury whether, in view of the long discussions which have of late taken place on the earlier Classes of Votes in the Civil Service Estimates, and the consequent inability on the part of the Committee to afford time for the fair and adequate discussion of the later Classes of Votes, he will consider the advisability of presenting the Estimates this year in a different order, so that the later Classes of Votes may be presented to the Committee at a reasonable date?

*MR. W. H. SMITH: The hon. Member is probably aware that certain Votes for the service of the Army and Navy must be taken before Easter, nor is it advisable to delay dealing with certain Votes in charge of the Office of Works, as their postponement would mean the loss of part of the building season. Subject to these qualifications, the Government are anxious to provide for the full and adequate discussion of the later Classes of Votes, and in order to insure this they are willing to bring those Classes under the consideration of the House at an earlier date than the place occupied by those Votes on the Estimates, if that order was adhered to, would allow. It is not, perhaps, advisable to state now in what order the Classes will be taken, but due and ample notice will be given.

LENZIE BOARD SCHOOL.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the First Lord of the Treasury whether the Treasury are aware that the school fees collected at Lenzie Board School for the year 1887–8 were £930, and for the year 1888–9 were £900, whilst the average attendance was only about 200, being an average of £4 10s. per pupil per annum, not counting holidays; whether the Treasury are aware that the school fees charged in Class IV. of this school are £3 per pupil per annum, and so prohibitory to the working-classes in Lenzie district; whether Lenzie Board School is on the list of State-aided schools in receipt of Government Grant, how, and in what manner, have the accounts of this school been presented to the Comptroller and Auditor General, so that it has escaped his observation that the school is on the list of State-aided schools, in violation of the 9d. per week limit of the Act of 1870, and what steps the Treasury propose taking in the matter?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Perhaps I may be permitted to reply. The Treasury has no information on the points raised; and unless the Controller and Auditor General, who has all the facts before him, should move in the matter, I do not see how action by the Treasury can arise

THE CASE OF LIEUTENANT GLEIG.

MR. LAWSON: I beg to ask the First Lord of the Admiralty whether his attention has been drawn to the case of Lieutenant Gleig, late of Her Majesty's troopship *Tyne*, who, for addressing an imprudent letter to his superior officer, was on the 21st January sentenced to forfeit one year's seniority and to be dismissed his ship; whether he has received any complaints from the superior officers of the *Tyne* as to the conduct of the commander; whether, having regard to the fact that on a previous occasion all the Lieutenants of H.M.S. *Tyne* complained to the Commander on the Station of certain restrictions placed upon their liberty by the Commander, with the result that those restrictions were at once removed, and that Lieutenant Gleig holds good certificates from all the captains with whom he has served previously, during a period of 12 years at sea, he will take this case into his consideration; and whether two irregularities complained of by Lieutenant Gleig in regard to the legal proceedings at his trial have received consideration?

*LORD G. HAMILTON: Lieutenant Gleig was tried for committing an act to the prejudice of good order and naval discipline in writing a highly improper letter to his captain, questioning the propriety of an order given by him. That order was given to safeguard the moving of a large amount of gunpowder. This letter Lieutenant Greig subsequently asked leave to withdraw, on the ground that he was not aware of the special circumstances which induced the captain to give the order, but Commander Goodridge having in the meanwhile reported the circumstance of the letter to the Senior Officer at Gibraltar, the matter had passed beyond him, and the papers were consequently forwarded to the Admiralty and the court martial ordered. No complaints against the captain of the *Tyne* have been received at the Admiralty, neither is there any information concerning complaints made by the lieutenants of the *Tyne*, as to their leave being restricted. Lieutenant Gleig's certificates are not uniformly good. The objections raised by Lieutenant Gleig were duly considered, but were not held to be valid. This case has been most carefully considered by the Board of Admiralty, and it is not one in which we consider that any reduction of the sentence should be made.

REPORTED DISTURBANCES AT JOHANNESBURG.

MR. O. V. MORGAN (Battersea): I beg to ask the Under Secretary of State for the Colonies whether there is any truth in the report that a disturbance took place yesterday at Johannesburg; and whether he is in possession of any intelligence beyond that given in the morning papers?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Her Majesty's Government have received no information respecting the reported disturbances at Johannesburg, and conclude that they have no special political significance, unless, perhaps, as indicating dissatisfaction at the delay in completing railway communication. The difficulty of obtaining supplies caused serious distress among the miners at the goldfields last year.

MR. O. V. MORGAN: Is Her Majesty's Representative, Mr. Williams, still in the Transvaal?

*BARON H. DE WORMS: I think not.

MR. O. V. MORGAN: Then Her Majesty's Government has no representative there.

IRELAND—EVICTED TENANTS AT GLENSHARROLD.

MR. O'KEEFFE (Limerick City): I beg to ask the Attorney General for Ireland if it be true that District Inspector O'Reilly, Abbeyfeale, County Limerick, lately visited houses of several evicted tenants at Glensharrold, and advised them to settle their rents with their landlord; whether the same police officer also visited the residences of the publicans in the district, and intimated to them that police and other emergency men would be billeted on them during coming

evictions; and whether such billeting is legal under any Military or Police Regulation Act in force in Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The Constabulary authorities report that it is the case that the District Inspector visited some of the houses on the estate referred to. He in no way advised the tenants to settle. The object of the visits was to ascertain the accommodation available for the police to be placed there for the protection of caretakers upon the evictions being carried out. He did not visit the publicans, as alleged in the second paragraph.

BELFAST MUNICIPAL BUILDINGS.

MR. DE COBAIN (Belfast, E.): I beg to ask the Attorney General for Ireland if his attention has been drawn to the results of the recent *plébescite* in the city of Belfast, and as the citizens, by a majority of nearly 11,000 votes had decided in favour of the acquisition of the Linen Hall site for the erection of new Municipal Buildings for Belfast, would he undertake, as far as possible, to facilitate the passing of such legislation as would ensure the accomplishment of the much-needed object for which such a large number of votes were recorded?

MR. SEXTON (Belfast, W.): Before the right hon. and learned Gentleman answers the question, may I ask whether it is the fact that 4,000 of the burgesses of Belfast voted against the proposal, and that the question was submitted in such a form that the burgesses generally had no opportunity of expressing an opinion as to whether it is desirable to erect a new Town Hall at a cost of upwards of £100,000?

*MR. W. JOHNSTON (Belfast, S.): Is it true that over 14,000 voted in favour of the proposition, and only some 4,000 against; and was not the opposition got up by the Nationalists?

MR. MADDEN: I have not made inquiries as to what the numbers were who voted *pro* and *con*. No Return has been sent in, but I will ask for information. As to the question on the Paper, I have to say that the attention of the Chief Secretary has been called to the matter referred to in the question of my hon. Friend. As regards the portion of the question in which he asks that facilities may be given for passing the necessary Act of Parliament, I have to point out that the matter is one which appears to be suitable to be dealt with by means of Private Bill legislation in the ordinary manner.

BAILIEBOROUGH NATIONAL SCHOOL.

MR. O'HANLON (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen the following paragraph in the *Daily Express* of the 24th February, 1890—

"Bailieborough National School.—The examinations in this school were held in March, 1889, and as yet neither have the results been made known nor the premiums distributed;"

and will he explain the cause of the delay which has occurred?

MR. MADDEN: The Commissioners of National Education report that the results of the examinations of Bailieborough Model Schools held in March, 1889, were duly communicated to the teachers, and the pupils entitled to promotion on the results were duly promoted. The Commissioners do not now award premiums to the pupils of Model Schools for passing the annual results examinations. There was no delay.

THE CORK UNION.

MR. FLYNN: I beg to ask the Attorney General for Ireland whether his attention has been called to the fact that, at last Friday's meeting of the Vice-Guardians of the Cork Union, Major Kirkwood said, on the question of outdoor relief, that—

"The relieving officers should tell the children not to send their parents to the house or put them on relief, for if they did, the children would have to pay the money back,"

And that, at the same meeting, an old woman named FitzPatrick, of Ballynoe, living with her daughter and son-in-law, was deprived of her usual grant of two shillings a week, though it was stated that the son-in-law was a "herd," earning only 10s. a week; and whether, in view of the many complaints made in the Union, the Local Government Board will make a further representation to the Vice Guardians on the subject of outdoor relief?

MR. MADDEN: It is the case that the Vice-Guardian mentioned called the attention of the Relieving Officers to the provisions of the Poor Law Acts which render children liable to maintain their

parents. It is also the case that the Vice-Guardians stopped the grant referred to, as they were satisfied on inquiry that the recipient's daughter and son-in-law should support her and were in a position to do so. The Local Government Board see no reason to interfere with the Vice-Guardians' discretion in the matter.

THE CASE OF MR. O'MAHONY.

MR. FLYNN: I beg to ask the Attorney General for Ireland if he can now state for what reason was Mr. O'Mahony, editor of the *Tipperary Nationalist*, removed from Clonmel Gaol to Tullamore Gaol; what is the approximate cost of the removal, and under what Vote in the Estimate will the charge be defrayed; and whether he will consider the possibility of re-transferring Mr. O'Mahony to Clonmel Gaol in order that he may have facilities to see his solicitors, in view of the fact that he is now engaged in defending libel proceedings brought against his newspaper?

MR. MADDEN: I am informed by the Prisons Board that the removal of Mr. O'Mahony from his own locality was made in accordance with the general practice observed in similar cases. The Prisons Board have not yet received an account of the cost of conveyance. The charge will be defrayed as usual from the Prisons Vote. The Board see no reason for re-transferring the prisoner to Clonmel, seeing that full facilities have been and will continue to be afforded to him for obtaining legal advice in reference to the civil actions instituted against him.

MR. JOHN SLATTERY.

MR. FLYNN: I beg to ask the Attorney General for Ireland if it is true that, in the case of Mr. John Slattery, of Cork, who was sentenced to six months' imprisonment (in default of giving bail) on a charge of intimidation, the application for a habeas corpus Order was refused by the Exchequer Division of the High Court on Saturday; whether it is the fact that Mr. Slattery was charged under the Second Section of the Criminal Law and Procedure (Ireland) Act, but was sentenced under another Statute; and if in cases other than those under the Criminal Law and Procedure (Ireland) Act it is the practice in the Courts of Great Britain or Ireland to charge persons under one Statute and sentence them under the provisions of another Statute?

MR. MADDEN: The statements in the first paragraph of the question are accurate. Mr. Slattery was charged under the 2nd section of the Act referred to in the second paragraph, was convicted, and ordered to give sureties for good behaviour. Such an Order is in accordance with the law and practice of Courts in both England and Ireland.

THE DUBLIN HOSPITALS.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the Attorney General for Ireland, if he has any information as to the alleged defalcations of an official of certain Dublin Hospitals; and, if so, whether he proposes to instruct the proper authority to take action in the matter?

MR. MADDEN: Warrants are in the hands of the police for the arrest of the person charged; but they have so far not succeeded in tracing him. They will, of course, continue to make every effort to do so.

MR. SEXTON: In this instance was the issue of the warrant, as in another case, delayed until the person implicated had left the country?

MR. MADDEN: I can only say that every possible effort has been made to bring the individual in question to justice.

THE NEWTOWNARDS BOARD OF GUARDIANS.

MR. McCARTAN: I beg to ask the Attorney General for Ireland whether his attention has been called to the Report of the proceedings at the Newtownards Board of Guardians, as published in the *Belfast Morning News* of the 3rd instant, from which it appears that the Guardians, at their meeting on the 1st instant, unanimously resolved that the action of the Local Government Board in declining to approve of the appointment of Martha Davidson as Infirmary Nurse in the workhouse, and their refusal to allow her to be placed in temporary charge pending a new appointment, was "a most arbitrary and uncalled for interference with the action of the Board," and that the Board "thereby adhered to their appointment," and

asked the Local Government Board to reconsider their decision; whether Mrs. Davidson was thereupon instructed by the Guardians to enter upon her duties forthwith; whether he will state the reason for interfering with the appointment made by the Guardians; and if he will reconsider the decision arrived at by the Local Government Board?

MR. MADDEN: The facts are as stated in the first two paragraphs. The Local Government Board, in the interest of the sick poor, declined to sanction the appointment, on the ground that Mrs. Davidson has had no training or experience qualifying her for the position, and they see no reason to reconsider that decision.

CHARGE OF INTIMIDATION—F. M'GINLEY.

MR. FLYNN: I beg to ask the Attorney General for Ireland whether he has seen a Report of the Falcarragh Petty Sessions, held on Tuesday, 25th February, before Messrs. Burke and Beresford, resident magistrates, and at which Edward M'Ginley, an evicted tenant, was charged with intimidating one Charles Gallagher by interfering with the sale of the latter's pig at a fair; if it is true, as reported in the papers, that the only overt act of intimidation deposed to consisted in the defendant's "winking at the pig;" and the magistrates held there was no proof that the pig buyers were intimidated, and dismissed the summons, but yet bound the defendant in sureties to keep the peace or in default to be imprisoned for three months; and was the prosecution brought under the Criminal Law and Procedure (Ireland) Act; and, if not, under what statute?

MR. MADDEN: It is not the case that the only overt act proved was that indicated in the question. It was clearly proved that the defendant had directed at least five buyers not to buy the pig. The magistrates held that the defendant had boycotted the sale of the pig, but they were not satisfied that the pig buyers had been intimidated. The prosecution was under the Criminal Law and Procedure (Ireland) Act. The magistrates ordered the defendant to give sureties for his future good behaviour. He appears to have complied with the order.

Mr. McCartan

LAND COMMISSION—SITTINGS IN CAVAN.

MR. O'HANLON: I beg to ask the Attorney General for Ireland whether he will name a day upon which the Commissioners will sit in the town of Cavan to fix fair rents; whether it is a fact that many of the tenants have served notices for fixing fair rents so long ago as October, 1887, which have not yet been considered; whether many of the landlords are insisting upon the payment of the old rack rents; and whether the Government will allow this injustice to go on; and, if so, how long?

MR. MADDEN: The Land Commissioners report that a sub-Commission has been sitting in the County Cavan since October last, and have on their present list 73 cases from the Cavan Union, and that further cases from that Union will appear on their next list. There are at present 298 cases outstanding from the Cavan Union, the originating notices in which were served before December 31, 1887. The Government have no information as to the matter referred to in the third paragraph, and no power in the matter; but I may add that under the Act of 1887 the judicial rent is made retrospective and the tenant is entitled to have refunded to him any sum paid by him in excess of the rate at which the judicial rent is fixed. The Commissioners are using every possible expedition in the fixing of judicial rents.

ACCIDENT TO A 110-TON GUN.

GENERAL GOLDSWORTHY (Hammersmith): I desire to ask whether the Secretary of State for War can confirm the report that has appeared in the newspapers as to an accident to one of the 100-ton guns from Elswick?

*MR. E. STANHOPE: Yes, Sir; it is true that there has been an accident. I am sorry to say that a barge sank in the Thames yesterday, or this morning, whilst carrying a 110-ton gun. The gun in question belongs to the Italian Government.

MR. GLADSTONE'S PRIVILEGE RESOLUTION.

MR. J. LOWTHER (Kent, Thanet): I would ask the right hon. Gentleman

the Member for Derby, in the absence of his leader, whether in the Resolution referring to a question of privilege, the right hon. Member for Mid Lothian intends to refer only to Peers who happen to be Ministers of the Crown, or whether the object of the Resolution is to restore freedom of debate with regard to all persons who are not themselves Members of this House?

SIR W. HARCOURT (Derby): I will communicate with the right hon. Member for Mid Lothian on the subject. I should not like myself to say anything definite on the subject of the Resolution, but I do not see at present why its operation should be confined to Ministers of the Crown.

MR. J. LOWTHER: I beg to give notice that I will move to extend the Resolution so as to make it refer to all persons who are not Members of this House.

POLICE AND SANITARY REGULATIONS.

Ordered, That the Committee of Selection do appoint a Committee, not exceeding 11 Members, to whom shall be committed all Private Bills promoted by Municipal and other Local Authorities, by which it is proposed to create powers relating to Police and Sanitary Regulations which deviate from, or are in extension of, or are repugnant to, the General Law.

Ordered, that Standing Order 173A be applicable to all Bills referred to the said Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, that five be the quorum of the Committee.—(*Mr. Stuart Wortley.*)

NEW MEMBER.

A Member made and Subscribed the Affirmation required by Law,—Alfred Webb, Esquire, for Waterford County (Western Division.)

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to provide for making Statutes respecting Deans and Chapters and Cathedral Churches in England; and for other purposes relating thereto." [Cathedral Churches Bill.]

ORDERS OF THE DAY.

SPECIAL COMMISSION (1888) REPORT.

ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Amendment [3rd March] to Question—

"That, Parliament having constituted a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons, and the Report of the Commissioners having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matters referred to them; and orders that the said Report be entered on the Journals of this House."—(*Mr. William Henry Smith.*)

And which Amendment was,

To leave out from the first word 'House,' to the end of the Question, in order to add the words 'deems it to be a duty to record its reprobation of the false charges of the gravest and most odious description, based on calumny and on forgery, which have been brought against Members of this House, and particularly against Mr. Parnell; and, while declaring its satisfaction at the exposure of these calumnies, this House expresses its regret for the wrong inflicted and the suffering and loss endured, through a protracted period, by reason of these acts of flagrant iniquity."—(*Mr. W. E. Gladstone.*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

*(4.45.) MR. BRYCE (Aberdeen, S.) [Who had not concluded his speech on Wednesday when the Debate stood adjourned at half past 5]: When my remarks were interrupted by the hour of closing yesterday, I was discussing the question whether there is any ground for horror, which seems to be felt by hon. Members opposite, at the Commissioners' finding that there are seven of the respondents who joined the Land League with the view of bringing about by its means the national independence of Ireland. Now, whatever the technical effect of such action may be, surely the morality of an attempt of the kind depends entirely upon the circumstances under which it is made and the methods which are resorted to. We all know that it is not easy to say when insurrection is justifiable or unjustifiable. At this time of day all

will admit that the Revolution of 1688 was justifiable, that the Civil War of the Parliament was justifiable. In fact, the revolutionists and rebels of one generation are the patriots of the next. Within the last few weeks a very remarkable illustration has been afforded of this principle. In 1848, one of the Nationalist leaders in Hungary was Count Andrassy, who was forced to fly after the conquest of Hungary in 1849, and sentenced to death by the Austrian tribunals as a rebel. But that same Count Andrassy afterwards became Chancellor of the Austro-Hungarian Empire, and the most powerful statesman in the country. A career like his ought to guard us against the folly of measuring by legal and technical rules the amount of moral guilt which attaches to revolutionists. With regard to Ireland, I should like to ask the House whether the horror, which is no doubt genuine in the minds of hon. Gentlemen opposite, at the idea that Irishmen can desire national independence, does not arise from a total failure on our part to appreciate the feelings with which Ireland regards this country. Those feelings are very similar to those which the Poles entertain towards Russia. I mention that analogy, not because I adopt it, not because I think English policy towards Ireland resembles that of Russia to Poland, but because it is one which Irishmen have often used, and which has been generally adopted on the Continent, and has even been employed by a distinguished ex-Cabinet Minister, now a pillar of the anti-Home Rule Party, as all will remember, in a speech made in 1885. Those who read the Report of the Commission will find abundant evidence of the existence of this sentiment. There is a remarkable quotation on page 70 from an article in *United Ireland*, which begins with the words, "They hate us and we hate them." These words are thoroughly indicative of Irish feelings and movements, though the belief on which they are founded is, as regards Englishmen and Scotchmen, erroneous. But when we hear such a speech as that of the hon. Member for North Antrim (Sir C. Lewis), in which it is argued that everything not proved must be assumed against the Irish Members, that every charge must always have been well-founded; when an influential journal welcomes without inquiry, and with a careful abstinence from inquiry, letters which have been proved to be forgeries; when we see that newspaper giving currency to hideous calumnies which have scarcely even the justification of rumour, but seem to have been evolved out of the wicked imagination of the writer, it is quite intelligible not only why Irishmen hate this country, but why they should believe that we hate them. Those who were in the House from 1880 to 1885 will remember the words of the late Mr. Forster in introducing the Compensation for Disturbance Bill, which he brought in expressly on the ground that evictions were producing outrages, and that the only way to deal with outrages was to stop evictions. Every one knows that the Bill would never have been introduced but for that opinion. Every one knows that the failure of that Bill increased outrages, and that the reason for the introduction of a sweeping Land Bill was that a Coercion Bill had been brought in. I remember in January, 1881, when the Coercion Bill was going through the House, a large number of Liberal Members made a declaration to the Government Whips that they would not vote for the Coercion Bill unless they were assured that it would be followed by large remedial measures, measures larger and more drastic than the Ministry were then believed to contemplate. Bearing all this in mind, can we wonder that, not only in the minds of the peasantry, but in those of their leaders, the belief was entertained that by outrages alone could the attention of England be attracted to the state of Ireland? We cannot be surprised if, in 1879, many Irishmen, like Mr. Davitt, contemplated the absolute independence of Ireland; and the moral which ought to be drawn from this finding of the Commissioners lies in the contrast, the happy contrast, in this respect between 1879 and the present day. I do not for a moment wish to palliate or excuse the violent acts done in the years preceding 1886. Those acts appear terrible to us now because of the comparatively peaceful way in which, during the present reign, great movements of reform have been carried on in Great Britain. Let the House compare the Irish movement

with revolutionary movements in other countries. Let us compare this Jacquerie with the Jacqueries of previous times in other countries; or even with the revolutionary movement of the Parisian Commune in 1871. If we do this we shall have reason to rejoice that the revolutionary movement in Ireland has not resulted in more crimes and outrages. I confess, therefore, bearing all these considerations in mind, that I see no reason why the House should not express its pleasure at the acquittal of the hon. Member for Cork from the grave charges which have been brought against him. It is clear that the Irish leaders have endeavoured to restrain the Clan-na-Gael, and as for the money which came from America, that money was not Patrick Ford's nor contributed by the Dynamite Party; it was the money of the Irish population in America, and was largely devoted to the relief of distress in Ireland. The hon. Member for North Antrim (Sir C. Lewis) spoke as if the Irish Members encouraged crime. But the finding of the Commissioners is directly the reverse; it is that many of the Irish leaders, especially Mr. Davitt, exerted themselves to prevent crime. No single citation has been made in which incitement to crime has proceeded from these men. Why, therefore, should not the House record its regret that these charges have been made? This ought to be done all the more, and not the less, because the Member for Cork is the chosen leader of the Irish people, because the Irish people have been wronged in the person of the Member for Cork. It ought to be done all the more and not the less because you profess your wish to keep the Irish Members here at Westminster, and give them a potent voice in British legislation. All the charges on which the Irish Members were condemned were known in 1883. They were certainly known when the leaders of the then Opposition entered into alliance with the Irish leaders in 1885. That alliance marked a very important epoch in our dealings with Ireland. Up to that time, questions of Irish judicial administration had, to a large extent, been placed in the category of questions which ought to be kept out of the partisan arena; and it is to the alliance formed in 1885 between the Conservative Party and the Irish Members that the progress of the Home Rule movement is to a large extent attributable. The President of the Board of Trade (Sir M. Hicks Beach) said that in 1885 the Members of Her Majesty's Government had not the means of knowing whether to believe the charges then circulated with regard to the Irish Members. If they did not believe them it was not from want of hearing them constantly made, or for want of opportunity to ascertain whether such charges were well founded or not. They were in office, with full command of secret official information. They knew enough to attack Lord Spencer in the Maamtrasna debate; they knew enough to decide before they came into power in June, 1885, that they would not renew the Coercion Act, and it is idle for them to now assert that the truth of these charges has only recently become known to them. There is something grossly insincere in the attitude now taken up by hon. Members. We all know—they know, if they would speak frankly out—that their horror at what the Commissioners find that the Irish Members did is an unreal and simulated horror. When the Crimes Bill was before the House, the old charges had become stale, and it was thought necessary to destroy the character of hon. Gentlemen below the Gangway by some new charges. I do not say that the new charges then brought forward were not believed by those who brought them forward, but I say they were believed out of rank prejudice and vindictiveness, and without adequate ground for such belief. It is said by the leader of the House that the object of this Motion was not to inflict punishment. What, then, is its object? Simply to make political capital out of the Report—to use the Report to destroy the Home Rule movement by attacking the characters of its leaders. I trust that with this debate we may get rid of all personal charges. Gentlemen opposite can still fall back upon the Constitutional arguments against Home Rule and discuss the question on its merits without reference to personal charges against the Irish leaders of the Home Rule movement. The conduct of those hon. Members will be

judged by a far higher tribunal than any party majority of this House, and if we may conjecture as to the future from the past the verdict of history will be far more lenient to those hon. Members than the majority of this House appear disposed to be. How many Irish patriots who in times past were persecuted and imprisoned and put to death by the English Government are now revered in their own country and honoured even in this? I suppose there is no one who does not now acknowledge the high patriotism of Wolfe Tone, who does not feel a compassionate sympathy for Robert Emmett, and who does not admire the unblemished private character and lofty patriotism of Daniel O'Connell. A regret is, indeed, now not infrequently expressed in some quarters that the leaders of the Irish Party in the present day are not like the leaders in the past. People wish when too late that O'Connell were back again, though in his day he was treated just as the Irish Members are treated by you now. But if we look at the action of these Irish Members apart from the passion of the moment I doubt whether we shall find much reason to complain of it. What is it that the hon. Member for Cork (Mr. Parnell) and Mr. Davitt have done? The movement which they started is not a new movement. It followed on others which at intervals of about every 10 years have arisen and failed; and those movements failed because they were not completely national, but only appealed to one portion of the people—either to the peasantry alone or the extreme party in the middle classes. What the hon. Member for Cork and Mr. Davitt have done is to unite the different sections of the Irish people in demanding from England a permanent and complete settlement. That settlement has not yet been attained. It may be postponed; but judging by the present signs of the times, I believe that it cannot be far off. By forcing this question forward and bringing this Irish movement to a head, the hon. Member for Cork and his Friends and Mr. Davitt have rendered a service not alone to their country but to Great Britain. If the long strife between the two countries seems to be now drawing to a close; if the soil of Ireland is to be transferred even by the legislation of Her Majesty's present Government from the landlords to the tenants; if there is less bitter feeling towards the people of this country in Ireland and among the Irish people in America; if there is now a kindlier feeling on the part of the English people towards Ireland—for these results we have in a great measure to thank the hon. Member for Cork and his friends. A Parliamentary majority may be hasty and passionate. But fortunately Parliamentary majorities come and go. The judgment of history is large and liberal: she looks at broad and permanent results. And history, even if it finds something to blame in the conduct of the Irish Members, will nevertheless deal tenderly with those who have been true, like the hon. Member for Cork and Mr. Davitt, with no selfish end to serve, through danger and suffering, through obloquy and calumny, to what they have held, and as I believe rightly have held, to be the sacred cause of their country.

*(5.8.) SIR C. RUSSELL (Hackney, S.): My hon. Friend the Attorney General has conveyed to me a reasonable wish that he should follow me in this debate, and I hope therefore the House will excuse me for following the able speech on the same side just delivered by my hon. and learned Friend. I certainly should have desired that I might have followed my right hon. and learned Friend the Member for Bury (Sir H. James), and I do not think that is an unreasonable wish. But my right hon. and learned Friend will, no doubt, take part in this debate later on, and will appear in the character which sits upon him so gracefully since he became leader of a more or less important section of this House as a kind of moderator, *vir pietate gravis*. There are two propositions before the House, the Motion and the Amendment. The Motion which Her Majesty's Government ask the House to accept has three objects in view—first, to express thanks to the Judges who acted on the Commission; secondly, the adoption of the Report; and, thirdly, its insertion on the Journals of the House. As to the Judges, I should like to say a word. I owe it to my long private friendship with these three distinguished men, and I think it a matter of public duty, to say that I believe each one of these Judges desired to the best of his ability honestly

and impartially to discharge his duty; but I hope I am not precluded from saying, without disrespect, that I cannot affirm that I regard them as having been free from prepossessions and prejudices, or as capable of dealing judicially with many of the questions that arose in the course of the inquiry. Indeed, I am justified in making that statement, for they themselves have stated in their Report that they have not found it within the mandate received by them from Parliament to deal with matters without considering which it is impossible to judge of the moral character of the acts imputed to certain hon. Members of this House. Now, in the first place, I desire to ask is there any precedent for this proposed vote of thanks to the Judges? I have listened with attention to the speeches delivered by hon. and right hon. Gentlemen on that side of the House; but I have failed to hear any justification for this proposal by reference to any precedent. I think it is a bad precedent to select three Judges, whose duties no doubt were onerous, who had submitted to them a question with a political aspect in it, and to attribute to them, as if they were exceptional in that regard, that impartiality and that justice which I hope is the common attribute of all the Judges of the realm. With regard to the adoption of the Report, again, I ask is there any precedent which can be cited for the proceeding of the Government in the adoption of the Report, and in seeking its inscription on the Journals of the House, when it is at the same time declared that no further action is to be taken upon it? The nearest analogy I know is with regard to Election Petitions. There the Judges report the result (which is final) of the Election Petitions which are tried before them, and in accordance with the Statute their judgment is entered on the Journals of the House, in order that by the inscription of that judgment there shall be a confirmation of the election of the Member of Parliament or a rectification of the roll. In this case there is no precedent either as to one or the other—there is no precedent as to the Commission, and there is no precedent for entering the Report on the Journals of the House. We are invited to a discussion which I, for one, should willingly have avoided taking part in if it had been possible, in which it is necessary to refer to the action of certain persons and to criticise some of the findings of the Judges—a bootless, purposeless discussion, which certainly does not tend to elevate the tone of the House, and from which no useful purpose can, in my judgment, be derived. As regards the findings of the Commission one great distinction is to be observed. In questions which admit of direct proof or disproof, I have the greatest respect for the decision of the Judges. Such questions were these—"Aye or no, were the letters forged?" "Aye or no, was any one or were more of the incriminated persons parties to or accomplices in crime?" "Aye or no, were Mr. Parnell or any of his associates parties to the Phœnix Park tragedy?" But I may be allowed, with the greatest deference, to say that when it comes to a question of drawing inferences from a number of facts—as, for instance, the effect of agitation upon the minds of the people of the country, or the effect of that agitation in increasing crime, or the effect of speeches delivered without complete knowledge of the circumstances in which those speeches are made, or as to the effect of remedial legislation—I deny that the opinion of the three Judges is entitled to greater weight than that of any three independent gentlemen who have had an opportunity of considering the question. Why, Sir, some of the findings strike me as most extraordinary. By the Act of 1882 a load of £2,000,000 of arrears was lifted from the shoulders of the Irish tenants; and yet, in the opinion of these three most excellent men, that had no pacifying or tranquillising effect. The Act of 1881 was passed, which I took the liberty of calling upon a former occasion, and I repeat it now, the first great charter of emancipation and liberty to the Irish tenants, yet that also had not in the Judges' opinion any great tranquillising effect. We are asked to adopt this Report. I take it "adoption" means that each man is asked to make this Report his own, and he is asked to do that in the absence of the evidence on which it is founded. It reminds one of the Judge in Rabelais, who dispensed justice with the dice-box, which he alternately cast for the plaintiff and the defendant,

giving his decision in accordance with the result of the throws. To ask the House to perform this judicial act without having read the evidence—I do not know that one-half of the House has even read or studied the Report—without access to or means of considering the evidence is nothing short of a farce. Does anyone on either side of the House imagine that a Party vote on this question can add anything to this Report beyond what its intrinsic merits warrant? It has been said we are inconsistent in saying that this Report is a "triumphant acquittal," and then in objecting to that acquittal being inscribed on the Journals of the House. I contend that there is no inconsistency in saying as we do say, and believe we are justified in saying, that on all the main, important, and grave issues which are the foundation of this Amendment it is a triumphant acquittal. But we are not thereby estopped from disputing the justice, wisdom, and accuracy of the findings upon some of the minor points; and I say there is no precedent, no ground of expediency, and no object in the Motion that I am aware of except to invite a discussion which, in some respects, is not either pleasant or satisfactory. I turn to the Amendment. The Home Secretary, in his speech the other night, told us he was not concerned to dispute the truth of the Amendment; but he added that it was not the whole truth. Ay, Sir, but it is the whole truth relevant to the substance of the Amendment, because it relates to the false charges supported by fraud and calumny—in other words, to the charges found to be disproved. It puts in the foreground what we believe to be the salient feature of the Report, namely, the acquittal of the hon. Member for Cork and his Colleagues from the grave issues raised before the Commission; and it expresses the generous sympathy of the House for the men so long and so foully wronged. It will be said those are not really the most serious and grave charges. I will apply a practical test which I will invite hon. Members opposite in candour to answer. Cut out from the charges and allegations which appeared in *Parnellism and Crime* all those which the Judges have found disproved, and is there anyone on that side of the House who will say that the remnant of those charges would be a justification for the Commission? Now, I want to say a word or two about the Commission, and the inquiry upon which it was invited to embark. I know it was said by the right hon. Gentleman in moving the Resolution the other day that we have no right to complain of the character of this Commission, because we did not divide against the Second Reading. But why? Because we protested, and will protest again, against its unconstitutional character. We did not divide, because to do so would have been to shut out the hon. Member for Cork from any opportunity of inquiring into those charges at all. You refused to give the inquiry he asked, and he had only the alternative of the inquiry offered by your Bill, or none at all. And it is not to be forgotten that that inquiry was sent to the Commission exactly as you had introduced it into your Bill, that you listened to no suggestion, that you accepted no Amendment, and that you declined to give or yield even an earnest consideration to some proposals which were made with a view to protecting the interests of those who were to be brought before that Commission. The Commission embarks upon its inquiry, extending over 10 years and embracing a period in which there was going on in Ireland nothing short of a revolution, partly social and partly political—a revolution in which were engaged the great mass of the Irish people of all classes and conditions, the landlords, and the dependents of the landlords, alone excepted. What were the other difficulties? Of course, the charges had to be proved as on a criminal indictment. If the respondents had been charged before the ordinary tribunals they would have had a magisterial inquiry, an opportunity of knowing who the witnesses were, opportunities of learning the antecedents of those witnesses—nay, not only that, but they would have been entitled to be furnished, according to the humane and just rules of our criminal procedure, with a copy of the evidence which the witnesses were expected to give. What was the course of this case? The case before the Commission was conducted as a game of surprises. We had no notice of the names of witnesses, much less notice of the character of the evidence they were going to give; and we know now how the

gaols of this country were scoured in order to see whether from the off-scourings there might not be found persons who would come forward and give evidence that would incriminate one or other of the respondents. We know also that amongst the persons who, I presume under the authority of the Home Secretary—I do not know whether with his authority or not—visited the convicts in their prison cells were police officers and the wretched man Pigott, who played so tragic a part in this inquiry. And we now know from the revelations which came from the hon. Member for the Harbour Division of Dublin, that down to October, 1889—I will ask the House to note the date—eight or nine months after the story of the forgeries had been blown to the winds and three or four months after the counsel representing the respondents had retired from Court—there were still communications going on with America. Large sums of money have been spoken of, or suggested, as to be paid provided the witness could produce evidence of other documents and of other letters to take the place of the discarded forgeries, for which the Attorney General was supposed to have made some kind of apology. How was the case conducted in Court? I am not going to say at this moment one word more than I said before the Judges and before the Attorney General. I say the case was conducted pertinaciously, rancorously, and in a way in which the Attorney General himself would have been the last person to conduct it, if the political character of this case had not swept away his judgment, and if he had not thought that it was an occasion on which political advantage for his Party was to be gained. I will content myself with saying here that it was conducted with no sense of generosity to the parties charged, the Colleagues of the hon. and learned Gentleman. I wish to point out, for it has not yet been done clearly, I think, what was the real hardship in the mode this case was conducted. It was this—the charge was launched as a charge of conspiracy, and lawyers will appreciate, though laymen perhaps cannot, that in consequence the Attorney General was enabled for days and weeks and months to tell the story of the sad and most condemnable crime that over a period of 10 years had been committed in Ireland, and to rehearse a kind of judicial *Newgate Calendar* without any attempt, and without any necessity to attempt, to connect any one of the persons charged with any one of these crimes or outrages. Laymen do not know, but lawyers do, that in support of a charge of conspiracy it is permissible to give evidence of facts extending over a number of years, without any connection with one another, and not traceable at all to the persons charged, and then to ask the jury (but here it was the Court) to draw the inference, at the end of a long and protracted inquiry, that there is evidence of conspiracy to be gathered from the whole of the circumstances of the case. It is no exaggeration to say that the result of that form of charge was to make Mr. Parnell responsible for the speeches of Scrab Nally, just as if Mr. Parnell had spoken them himself—to make him responsible for the acts of men in the South of Ireland whom he had never seen, conversed with, written to, or had any communication with, simply on the ground that each of these persons was a member of the Land League. Not only that, but conversations were admitted, and I will give one striking illustration of what I mean. The man Le Caron or Beach was called, and my right hon. Friend the Member for Bury took him under his special protection and graced him, if I may use the expression of John Philpot Curran, with the patches and feathers of his rhetoric with all the taste of a Court milliner. He held up this Beach, whose life was a living lie, as if he was a man who ought to be spoken of as a worthy man following a worthy vocation. Le Caron deposed that a man named Patrick Egan had told him (Le Caron) that a man named Brennan had told him (Egan) that Mr. Sexton had assisted his (Brennan's) flight from justice. So upon the doctrine of constructive responsibility we have actually got this placed before the public as a charge against Mr. Sexton. For my part, I do not hesitate to say—of course, it is an opinion, and must be discounted as that of a partisan—that, looking to the extent of time of this inquiry, and to the fact that it related to a popular movement which must necessarily have aroused the passions of the men engaged in it, looking to the fact that there was

an enormous sum of money unquestionably dealt with, not merely for the relief of distress, but for the assistance of evicted tenants and the defence of persons charged with crime—looking to the whole scope and character of the inquiry, I say it is a perfect marvel that so little has been found to be traceable even to any persons connected with the Land League Organisation. Before I grapple more closely with these charges, I must make some reference to the extraordinary appearance of the Attorney General at Oxford. He went there on February 16, when the ink on the Commissioners' Report was hardly dry. He rushed down to make a speech at the Strafford Club. In what character? Was it as counsel for the *Times*, to give the keynote which was to be struck and publicly sounded in relation to this Commission? Was it as a politician? Was it as Attorney General? Or were all these characters for this purpose and in this connection one? I do not hesitate to say that if it was in the character of counsel it was indecent, and that if it was in the character of a politician it was grievously indiscreet. In the early part of his speech the hon. and learned Gentleman said one reason why he was anxious to appear there was because the Report of the Commission afforded so complete a justification of the policy of his right hon. Friend the Chief Secretary to the Lord Lieutenant. In this connection there was some appropriateness in his appearing at the Strafford Club; for it will be in the recollection of the House that the Bill of Attainder against that unfortunate nobleman had as its principal charge "the introduction by him of an arbitrary and tyrannical Government into the said Kingdom of Ireland." But when I read the report of the Attorney General's speech, I confess I was a little surprised, and, for a moment, moved. I found in the early part of it what seemed to be something like a generous expression of sympathy with Mr. Parnell; and when I recollected that for many months the Attorney General had been with great ability and with great pertinacity endeavouring to fix criminal guilt on Mr. Parnell, I said to myself—"The Attorney General is, indeed, a magnanimous man, almost too good for this wicked world." I fancied the Attorney General in the privacy of his chamber reading the Commissioners' Report with tears of joy coursing down his cheeks at the satisfaction which had sprung up in his breast to think that the man whom he had striven so anxiously to drive from public life had been acquitted of all those grievous charges. I fancied that the Attorney General in a "melting" mood had

> "Dropped tears as fast as the Arabian trees
> "Their medicinal gum."

I supposed the Attorney General going to Oxford with this sentiment; but what was his next proceeding? Human nature is a strange thing, full of strange inconsistencies, even in its most amiable examples. Having uttered this generous sentiment in reference to Mr. Parnell, the Attorney General straightway furnishes himself with a bucket of tar and a large brush and proceeds to do all that he can to daub the characters of hon. Members below the Gangway by what he called a correct description, but which I will show is an inaccurate description, of the results of the Report. I must now call attention to some points in the Attorney General's statement. He did me the honour of noticing my speech before the Commission, and attributed to me five statements. I will read them to the House shortly. First, that I said there was absolutely no connection between the Land League and Fenianism; that not a farthing of money had ever been received from America or Patrick Ford; that the Fenians had always opposed the Land League; and, most strange of all, that the Parnellite Party had had nothing whatever to do with boycotting; that boycotting was against their wishes. The Attorney General said at the time that he spoke with a sense of responsibility, and that he had not exaggerated by a single iota in what he had said. I must say the Attorney General is discovering a very dangerous genius for inaccuracy. There is not one of these statements attributed to me correctly attributed to me. I will, however, do the Attorney General the justice to say that a day or two afterwards he wrote to the *Times* correcting some of his statements, and saying that he had partly been misunderstood and partly been misreported.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The next day but one.

*SIR C. RUSSELL: But the report is the same in all the newspapers I have seen, Provincial and London. Let me take some of these statements in detail—

"There was was no connection between the Fenians and the Land League."

What I did say, and what my Colleagues said, was that between the Fenian Organisation and the Land League as an Organisation there was no connection. From the first up to now we avowed, with no attempt at concealment whatever—on the contrary, we took pride in the avowal—that Mr. Parnell, in inviting co-operation in the movement which he intended to be—whatever it became—open and constitutional, invited all men to join in that Organisation provided only that they were willing to fall in with and help its objects, and he did not require a previous certificate of character before admitting them to membership in a time of great distress in Ireland. As to the second statement—that I said no money came from Patrick Ford—I pass that by, because the Attorney General says that he was misreported in regard to it. We avowed that a large sum of money came from Patrick Ford, but in the sense that he was merely the conduit-pipe between the people of America and the Land League—merely the link through which the money given by the Irish people in America and the large class of Americans who sympathised with Ireland was passed over to the League. Is it not too canting, is it not too pharisaical, to suggest that because Patrick Ford's paper—not at the time the money was coming in, but at another time—had manifested wild fits of advocacy of dynamite and other stuff of that kind, therefore Mr. Parnell should refuse at his hands the money subscribed by his countrymen in America in the honest belief that they could do something in their expatriation to aid the struggles of their brethren at home? With regard to the third statement made by the Attorney General, to the effect that I said that the Parnellite Party had nothing to do with boycotting, and that boycotting was against the wishes of the Land League, nothing, Mr. Speaker, could be further from the truth. Why, so far from denying it, it was avowed from the very beginning that boycotting was advocated by the League, but with the distinction that it was denied that violence and intimidation were to accompany it as part of the machinery of the League.

*SIR R. WEBSTER: Hear, hear!

*SIR C. RUSSELL: Therefore, the statement attributed to me is incorrect.

*SIR R. WEBSTER: Certainly not.

SIR C. RUSSELL: Well, it seems obvious. The other mis-statement of the Attorney General with reference to me I will pass over, because it may perhaps be attributable to the fact that the Attorney-General had not had time to read the Report. He was in such a hurry to go to the Stafford Club and make these new revelations that he had not time to read the Report, and certainly had not had time to refresh his memory with the report of my speech when he did me the honour to quote from it. We must assume that the Attorney General meant to make a fair statement of the results of the Report, but will the House believe that throughout the whole of his speech there is not a syllable of reference to that part of the Report in which the Commissioners confess themselves unable to deal with those considerations without which the question of moral blame or moral censure could not be fitly or fairly decided? In that speech the Attorney General made no reference whatever to that statement of the Commissioners, in which they say that—

"They had no commission to consider whether the conduct of which they" (the respondents) "are accused can be palliated by the circumstances of the time or whether it should be condoned in consideration of benefits alleged to have resulted from their actions."

But the Attorney General made an observation I am sure he will not repeat here. He attributed to the Judges what I think the Judges should be at once relieved of. He attributed to them—Judges of the land conversant with the principles on which judicial procedure and judgment should be based—that they designedly used the words "not proved" in order to convey the idea that although the accusations were not proved they had a strong suspicion that the respondents were guilty. In England, at least, it is a principle that a man is held to be innocent until he is proved guilty, and I say that when a charge is

found to be not proved against a man it is equal to a verdict of not guilty. I am glad to see that one distinguished authority, Lord Selborne, has not fallen into the mistake of making this imputation against the Judges. Now, I want to grapple a little more closely with these charges, if the House will bear with me, but several of them have been dealt with so thoroughly, so clearly, and so ably by my right hon. Friend the Member for Wolverhampton, and others, that I will not make any considerable demand on the patience of the House. I must, however, call attention to the pith and marrow of these points, in order to justify the contention which I am placing before the House in support of the Amendment, namely, that in their substance and essence these charges have been disproved. In the first place I refer to the charge in the Blue Book, alleging that the Land League chiefs

"Based their movement upon a scheme of assassination and outrage carefully calculated and coolly applied; that murderers provide their funds, murderers share their inmost councils, murderers have gone forth from the League offices to set their bloody work afoot, and have presently returned to consult the 'Constitutional leaders' on the advancement of the cause."

Found to be not proven.

"There are plenty of authentic utterances fixing upon prominent Members of the Home Rule Party the guilt of direct incitement to outrage and murder."

Found to be not proven. Then the Attorney General in the "O'Donnell *v.* Walter" case said:—

"That that is a true comment" (the passage to which I have referred) "and a true statement of what the work of the organisation was, I shall procesd to prove before you in the course of my case."

Then comes one of the most serious passages, namely:—

"We have seen how Mr. Parnell's 'Constitutional organisation' is planned by Fenian brains, founded on a Fenian loan, and reared by Fenian hands; how the infernal fabric 'rose like an exhalation' to the sound of murderous oratory; how assassins guarded it about and enforced the high decrees of the secret conclave within by the bullet and the knife. Of that conclave to-day three members sit in the Imperial Parliament."

Who are those three Members? The context justifies me in giving the names, Mr. Parnell, Mr. Dillon, and Mr. Sexton. And let the House realise it, for it is one of the most extraordinary things that probably ever occurred in the face of such charges followed by such an inquiry, that, although a considerable number, if not all, of these incriminated men went into the witness box, and it was quite within the power of the Attorney General to have called others, yet it is hardly credible when I state the fact that not one of these men against whom these most odious, these most tremendous charges have been levelled, had a question addressed to him suggesting that he was concerned in any criminal act whatever. I am afraid I must trouble the House with a few more quotations. There is a passage in the speech of the Attorney General before the Commission in which he refers to the "leaders not doing the bloody work themselves," and giving as a reason for it "because they had not the time to do it." There is also a statement in which the Attorney General said he did not mean to allege that Mr. Parnell knew the name of the particular individual who was going to be assaulted, or the particular landlord against whom any outrage may have been contemplated, but that he knew that those outrages were necessary, and were parts of the system. The Attorney General had also stated that not on one single occasion was a word of denunciation of crime and outrage uttered by the respondents, but will he persist in that statement now? His words were—

"During the whole period of these years there is not, so far as I know, one solitary speech amongst the thousands delivered, in which any one of these men deprecated the outrages which were undoubtedly going on."

Why, hundreds of speeches were proved, and hundreds of articles were proved, and the Commissioners find that Mr. Davitt and others of the respondents did *bonâ fide* discourage crime.

Then there was the charge that

"Many of those whose names are included in these particulars knew, and must have known, that sums of money were being paid, not in an exceptional instance, but over a long period of time, to persons who were engaged in carrying out the acts of violence and crimes to which I have referred."

Then there is the remarkable passage about the outrage-monger going to the Land League office and getting £20 or £30 or £40 from Mr. Biggar or Mr. Brennan, or whoever happened to be

there, and then going down into the country to distribute it to the men who were to commit outrage. Then comes what I look upon as the gravest of all these libels, for it was to support it and to weave it into a kind of probable story that the forged letters were contrived! I mean that article referring to the time of Mr. Parnell's being on parole, in which it is suggested that he met Mr. Justin M'Carthy and others of his Colleagues at Willesden, and that they then concerted and discussed, and that Mr. Parnell then learned that the Phœnix Park tragedy was about to occur. Do not let there be any mistake about that. There has been a sliding scale in these charges. There was the naked atrocity of them as they appeared in the *Times;* there is a slight softening down in the speech of the Attorney General in "O'Donnell *v.* Walter," a still further softening down in the particulars, until we come to the speech of my astute Friend, the Member for Bury, who is much too astute a man not to know and to feel that the weight and gravity of these charges had broken down because of their extravagance. He traces the work of an organisation as the work of the Irish nation, and as to the Irish leaders, in that very graceful peroration before the Commission he appealed to the Irish nation to wake from the night-mare which had so long oppressed them, he appealed to them to discharge their unworthy leaders, and to seek for others. I now deal with these charges in what I call their naked atrocity. I refer first to the letters, and I am afraid that I must make some demand on the patience of the House, because the real story of the forgeries has never been told in this House. I believe it is shown that every one of the grave and weighty charges without which this Commission would never have been granted has broken down. I admit that there are adverse findings; I have never claimed, and do not claim, that there has been a complete acquittal. If the House will allow me I will run over the adverse findings. Compare their character with the character of those which I have read to the House. First there is a statement about members of the League, Mr. Davitt and others, joining it with the view of bringing about the independence of Ireland as a separate nation. Well, with regard to this, I will only observe two things. In the first place, if they did so join it, it was in 1879. It has been repudiated—hotly repudiated—by a man who is very slow to repudiate any opinion which is attributed to him—I mean Mr. William O'Brien, that this is true in his case. I do not know what Mr. Davitt's opinion may be at this moment, but I affirm it to be true, as far as we can form a judgment, that there never has been a time in which the majority of the Irish people would not have been contented—whatever some dreamers among them may have imagined—as a settlement and a final settlement of this international feud, with having conceded to them the potential right of self government in matters which concerned themselves. For my own part I have always said that as far as the great interests of England are concerned the separation of Ireland is a small concern for it, but for Ireland it would be a disastrous blow, in my judgment. But I pass from that charge. There is no one who reads it who thinks that it can properly be regarded as a charge which brings with it a moral taint. I may perhaps refer to the ancestor of my right hon. Friend opposite, the distinguished and very worthy successor in an illustrious line. Would he hang his head in shame if he were reminded of the Plunket who said that to his last gasp he would resist the invaders of his country, that when he felt dissolution approaching he would take his sons to the altar and swear them to undying hostility to the invaders of the liberties of his country. Does any one think less of Robert Emmett and Wolfe Tone in these days? The judgment of history is generally a just judgment. I pass from that charge with these concluding observations: that when one looks at the sad history of the neglect of this Imperial Parliament, which took upon itself the care and government of Ireland, it is not surprising that men of ardent, generous, and patriotic minds should have begun to despair of redress by Constitutional and Parliamentary methods, and should embark in wild and condemnable enterprises. My hon. Friend the Member for Aberdeen well said that the very fact that years ago such feelings honestly existed in some

minds should make us rejoice that to-day so radical a change has come over the temper and tone and feeling of the Irish people. The next charge is that with regard to the reduction of rents and expelling the English garrison. What I have to observe about that is that the English garrison seem to be quite willing to capitulate. It seems to be merely a question of pounds, shillings and pence. The terms of capitulation are now being discussed between the Chief Secretary to the Lord Lieutenant and the representatives of the landlord class, than whom there has been no more unpatriotic body since the Act of Union was passed—men who have been taught to look over the heads of the Irish people, taught to conciliate, not the judgment and good will of those among whom and by whom they live, but to conciliate English opinion, and taught that it is right, as the noble Lord the Member for Rossendale entreated them to do, to exercise their rights, not so as to secure justice and peace among their own people, but so as not to offend the conscience of the English people. Now I pass from the English garrison, and come next to the question of inciting to crime and persevering in a system of boycotting which they say was a system of intimidation. The charge is that they persevered in this, well knowing the consequences were to increase crime. I am not going to argue this elaborately. In all these cases, taking the findings literally at their worst, they are cases of constructive responsibility—a responsibility mainly for the acts of others. We see that in large districts where crimes prevailed there was no boycotting, and in other districts where boycotting did prevail there was no crime. I would point out what is the real explanation with regard to this matter—namely, that crime sprang from the districts which were poorest, and where in the years of 1879 and 1880 the cry of distress was most piteous—in the west and south-west of Ireland. But, broadly, what I want to say is this: may there not be two honest opinions upon the result of boycotting? I am talking of boycotting as focussing the opinion of a given community in reprehension and condemnation of the action of any member of that community which is supposed to be against the general interest. I am not describing that as the only thing done in Ireland under the name of boycotting, but I affirm that, apart from intimidation and violence or threat of violence, such boycotting is lawful. I am not contending that boycotting in Ireland did not far exceed those limits. There was unquestionably an amount of intimidation used, accompanied by violence. But in regard to that I have before used, and will again use on proper occasions, words of the strongest condemnation, but I desire to point out that, speaking generally, so far as Members of the Land League were concerned, judging from their speeches and writings, theirs was an advocacy not of violence, but of boycotting simply. There may well be different opinions as to the effect of such boycotting. You may say justly that boycotting carried on on a large scale causes a number of crimes, and is what may be an intolerable tyranny in itself. Granted. But is it not at least a case worth considering, and for which good reasons may be urged, that, just in proportion as boycotting is effective in the sense in which I have first described it, the need—if I may use the word with regard to crime—for the resort to crime and violence is dispensed with? Therefore, although there is a finding by this Commission that there was an increase of crime in consequence of boycotting, the Commissioners do not call attention to what the character of that increase was. Yet it is demonstrable that the worst crime—murder—occurred lessfrequently when the boycotting was at its worst than in the years when there was no boycotting. I ask this question, meeting the view of the Judges fairly in the face. Assume that the Irish Members were guilty of persevering in a system which did entail those evil consequences, are they to be without mercy condemned for that? What said Sir James Macintosh, in one of the best-reasoned essays ever written, in reply to Mr. Burke, when he was blaming the movers in the French Revolution for all the consequences their action had involved? "Is it to be laid down as a principle of morals that a man or a body of men are not to seek a great public good, but are rather to abstain from it, merely because incidental evils may follow in its train?" The greatest revolutions and reforms the world has ever seen never would have been carried

under such conditions. But the final point is this. Taking the finding at its worst, what is the amount of moral obliquity attaching to the offence? And here the Judges give no help, for they say that it is not within their mandate to inquire into the circumstances of palliation, if there are such, or as to whether there is any condonation to be found in view of the benefits achieved. I ask permission now to do what the Report does not do—to remind this House, which is called upon by its individual Members to perform a judicial act, of what the state of things then was. I have referred to the bad years which preceded the formation of the Land League in 1879. I am not going to trouble the House with many figures, but let me show what was the condition of things as compared with the year 1876, which was a high average of good years. Taking the potato crop of 1876, its value then was £12,464,000; in 1877 it was £5,271,000; in 1878, £7,579,000; and in 1879 only £3,341,000. Or, in other words, taking that one crop alone, of 1879 as compared with 1876, there was a loss or fall of £9,123,000, which is equal to nearly three-fourths of the entire agricultural rents of Ireland. But if we take in the general crops and compare the gradual losses, again with the year 1876 as the datum year, you will see that the loss was still greater and exceeded 20 millions sterling in those years. That is a state of things which, in this country, would have called for and would have insured wholesale remissions of rents. But the effect of those years, and especially of the worst of them, 1879, shows most in the year 1880; and we have the authority of Dr. Grimshaw, the Registrar General for Ireland, that in the year 1880 the death rate was the highest and the marriage rate was the lowest of all recorded years. I would like to make in this connection one reference as to the state of distress consequent upon this failure of the potato crop and the other crops. This is on the authority of a man respected in this House—the late General Gordon. In 1880 he wrote to the *Times* this passage—

"I have lately been over the South-West of Ireland in the hope of discovering how some settlement could be made of the Irish question, which, like a fretting canker, eats away our vitals as a nation. I have come to the conclusion that, first, a gulf of antipathy exists between the landlords and tenants in the North-West, West, and South-West."

This is the district where there was the increase of crime.

"It is a gulf not caused alone by the question of rent. There is a complete lack of sympathy between the two classes. It is the historian's task to inquire how such a state of things came to pass. I call attention to the letters and speeches of the landlord class, as it proves how little sympathy exists among them for the tenantry. I am sure the tenantry feel in the same way towards the landlords."

A little later on he says—

"I must say that, from all accounts and my own observation, the state of our fellow-countrymen in the parts I have named is worse than that of any people in the world, let alone Europe. I believe that these people are made as we are; that they are patient beyond belief; loyal, but at the same time broken-spirited and desperate, and living on the verge of starvation in places where we would not keep our cattle."

Now, in that condition of things what happens? Of ejectments and notices to quit, immediately a crop rises on the land. What happens further? The state of the country is so alarming that the Government of the day bring in the Compensation for Disturbance Bill, of which so much has been said. I will pass it over lightly. It is enough to say that in this House Mr. Forster, and in the House of Lords the Duke of Argyll, supported that Bill on the ground that the state of things was such that, in the interests of justice and the peace of the country, the Legislature were bound to interfere to protect the poor tenant classes in Ireland. The House of Lords threw out the Bill by an enormous majority. I have been told that on that occasion the halt and the blind were seen who had not been seen in the gilded Chamber for years before. Now, I ask the House, in the sense of justice, were the leaders of the Irish people to be expected to fold their arms? The Government of the day and the House of Commons had said—

"We recognise your position, and that you need protection; but the House of Lords has said that you shall not have it."

I say that if there ever were a justification for a combination of resistance to the landlords' assertion under such circumstances of the extreme rights of property, it was in 1879, 1880, and 1881. The Duchess of Marlborough and other

charitable persons started relief funds, to which the landlords, as the evidence showed, were but rare contributors. Ireland had again to appear before the world in the character of a mendicant, and had to ask for and receive assistance wherever it could be obtained. It was at that time, and in a large measure for that purpose, that large sums were subscribed by the Irish people and collected through the instrumentality of Patrick Ford. The theory seems to be that all this crime sprang up as the work of agitators, just as we are told that everything distressful in Ireland giving the Government trouble is the work of agitators. That is absurd. It is not true. Is it your experience? Is it ever possible, unless there are grave and deep-seated causes, to rouse the feelings of the people, unless there are persons who are conscious of suffering and anxious to make some attempt to escape from it? It is not too much to say, as was said by my hon. and learned Friend the Member for Dumfries the other night, that if the combination that was then set on foot, and for years carried on, was a criminal conspiracy, it was a criminal conspiracy which embraced the great majority of the Irish people and the enormous majority of their bishops and priests. But the Attorney General's theory was that Ireland had been a terrestrial paradise before the appearance of the Land League, where landlord and tenant lived in amity, the landlord looking on the tenant with patriarchal regard, and the tenant looking up to the landlord with eyes of gratitude for the protection afforded. There never was such a travesty of the true historical picture. This land question has been at the root of Irish disturbance for many years, and to the gross neglect of Parliament to deal with the land question is largely to be attributed the troubles that followed. I will not go over the history of that question. It is a history of shameful neglect. Lord Clare 100 years ago said—

"I know the hapless condition of the Irish tenants, ground down by the remorseless tyranny of landlords."

Forty seven years ago you had a Devon Commission, which told you that this question was urgent, and you did nothing. It was not till 1870 that anything was done. Yes, something was done the other way. You had the retrogressive Act of 1860, which displays the grossest ignorance on the part of this House and this Parliament as to the true relations between landlord and tenant in Ireland. And what was done in 1870 in this House, imperfectly done, was marred and maimed in the House of Lords. But since then you have the Act of 1881, followed by the Arrears Act of 1882, followed by the Ashbourne Act of 1885, followed by the Act passed by the present Government in 1887; and I ask, Is there anyone in this House who will say that these measures in their fulness and plenitude would have been passed but for the agitation that was going on in Ireland? Some of the blame lies at the door of the Party opposite. I do not say all of it, for I wish to be impartial, and I think that much of the blame lies at the door of the Liberal Party, but then they had an enormous force to overcome in the opposition of the House of Lords. I think the right hon. Gentleman the Member for West Birmingham has himself said publicly—I refer to this for no invidious purpose—that the Land League, in its earlier operations, usefully assisted the Government to carry through their Land Legislation. [Mr. CHAMBERLAIN: Hear, hear!] Is not that a confession that you needed the force of the agitation which the Judges, in some of its excrescences, have condemned, and I think rightly condemned—that you needed that force to overcome the *vis inertiæ* in this House and the more open opposition of the House of Lords? I say that some of the blame lies at the door of the Party opposite. I see the new Minister for Agriculture (Mr. Chaplin) in his place "with all his blushing honours thick upon him." If he were to get up now and tell us what he honestly feels, I have not the least doubt that he would make one of those speeches which he made in the Parliament of 1880 when the Land Bill was under discussion, and tell us that the Act was nothing but an Act of spoliation and robbery. Why, even the President of the Board of Trade (Sir M. Hicks Beach), who is not in the habit—although some of his Colleagues may be—of speaking very recklessly—even he only two years ago epitomised the policy of the Liberal Party with reference to Ireland as being spoliation and robbery of the landlords on the one hand, and of the

Church on the other. I should not be surprised if there should be found on those Benches some hon. Gentlemen who would even now describe that legislation in that way. Now, I must not dwell longer on that, although there are many topics to which I should like to draw the attention of the House; but I desire to come, if I am not taxing the patience of the House too much, to that story which has not yet been told in this House—the story of the forged letters. I very much doubt if such a story has ever been told before a Legislative Chamber. In 1885 Mr. Pigott communicates to Mr. Houston material for a pamphlet called *Parnellism Unmasked*, and is paid a sum of money for his services. In December of the same year this Mr. Houston, Secretary to the Loyal and Patriotic Union, applies to Mr. Pigott, whose name as a literary man, or as one connected with newspapers, would have stunk in the nostrils of any Dublin citizen—Mr. Houston, himself a Dublin man, in December, 1885, asked Mr. Pigott whether he would like to have a guinea a day and expenses for getting any documentary evidence which would incriminate the Parnellites. Mr. Pigott, poor, impecunious, gladly accepts the mission; and when I have to refer to that wretched man who met that tragic fate in Madrid, I must say that the distinction between the guilt of the tempter and the guilt of the tempted is not so very great. Mr. Houston goes to this man, who is in a condition of abject want, and puts this temptation before him, "Will you go forth, and can you produce something to incriminate the Parnellites? If you can you will be well paid." Mr. Pigott accepts the employment, and goes to Lausanne and other pleasant places, and he returns to inform Mr. Houston—who, by-the-way, has recently been thanked for his valuable services by the Loyal and Patriotic Union—that he has heard that there is a black bag somewhere in Paris, in a street, the name of which he does not know, left by a man whose name he does not know, but which contains incriminating documents. But Mr. Pigott says that the bag cannot be opened until authority has been received from America, and he goes to America, and there receives the necessary authority from a man who, by an odd coincidence, happens to have died by the time that Mr. Pigott is called upon to give evidence. It is in March, 1886, that he says he has got the first batch of letters, including the *fac simile* letter. It is a mistake to suppose, as some people have done, that the only important letter of this collection is the *fac simile* letter. Every one of these letters is serious, because they are all framed to fit in with the preconceived theory of complicity in the Phœnix Park murders. What is the meaning of the letter—"I have sent 'M' £200" (meaning Mullett); and another, "I will see 'B'" (meaning Brady). But to go on with the story. Finally those letters are offered to Mr. Buckle, who says, "No." Subsequently, however, Mr. Buckle is again seen by Mr. Houston, who is referred by him to the late Mr. MacDonald, who says that if the documents are forthcoming, and if they are—to use Mr. MacDonald's phrase—"of legal value," the *Times* will take them. Then we have a most extraordinary occurrence. A late Fellow of Trinity College, Dublin, Mr. Maguire, goes to Paris in company with Mr. Houston and sees Pigott. Mr. Pigott comes to his hotel and says, "Here are the letters," as if they were offered on sale or return, and then he says, "A man is below stairs waiting." The cost of the letters and his expenses amount to £1,780. But Mr. Houston and Professor Maguire apparently are cautious. They will not even look out of the window to see whether anyone really is waiting below. Mr. Pigott tells them that he has been taken to a restaurant in the Rue Castiglione, the name of which restaurant he does not know, and there swore, in the presence of men he did not know, that he would never reveal the fact that he had seen them, or that he had got the letters from them. As to two other batches of letters, the story is much the same. I want to call attention to this, for I am now answering the speeches of some right hon. Gentlemen opposite, including the new Minister for Agriculture, who had the boldness to say at Cambridge that whilst he attributed some amount of carelessness to the *Times*, that journal deserved well of its country. Who was behind Mr. Houston in this matter? A clerk with a salary of £200 or £300 a year does not risk so large a sum as £1,780 without security. Who were the

people behind him, and what were the statements on the faith of which they advanced the money which enabled him to send to America and offer bribes to the forger? That chapter of the story has not yet been fully written; the incidents have not yet been fully disclosed. I want to call attention to this—in June, 1887, the fact that Mr. Pigott was the man from whom the letters came was, according to Houston, disclosed to Mr. MacDonald. He fixed the time himself, I believe, as March, 1887, and I care not whether it was March or June. The disclosure was made to Mr. Mac Donald by Mr. Houston; but no inquiry is made as to who Pigott is. Mr. Houston, of course, knew all about him, and could have enlightened Mr. MacDonald; but Mr. MacDonald studiously abstained from putting any questions. Without asking for particulars, the *Times* paid £2,530 for the three batches of letters, everyone of which has been pronounced to be a forgery. This the *Times* did without making any inquiry as to the character of the man from whom in March or June, 1887, it was known that the letters had come. Now I approach a very extraordinary part of this case—the action of "O'Donnell *v.* Walter." At this time the solicitor for the *Times*, Mr. Soames, hears that the letters came from Pigott. I am not able to say whether the Attorney General also learned at that time the fact that the letters came from Pigott.

*Sir R. WEBSTER: I have stated the period—the November following.

*Sir C. RUSSELL: At any rate, the fact was known to the solicitor at that time—July, 1888—and up to that time all that had been done by the *Times* was to take the opinion of an expert—Mr. Inglis—as to whether the curves of the "y's" and the loops of the "l's" and the dots of the "i's" in the fabricated letters corresponded with Mr. Parnell's handwriting. The *fac simile* letter had appeared on the 18th of April, 1887. Now, what comes next? Houston and Pigott had both been subpœnaed as witnesses on the part of the respondents. Pigott is not subpœnaed by the *Times*. Nay, when the Commission opens, the Attorney General, acting upon what was put before him, said—

"I have the authority of Mr. Houston for saying that his was the hand that conveyed the letters to the *Times*; but I am not yet able to say whether I can put before the Commission the name of the person who brought them to Houston."

I would remind the House of a further extraordinary circumstance—that in the "O'Donnell *v.* Walter" transaction the Attorney General made a speech which is a complete justification for those who have hitherto thought that Mr. Parnell was wrong and unwise in not earlier rushing into a Court of Law, because on that occasion the Attorney General, with great power addressing the jury, said—

"Let it cost the *Times* what it will, the *Times* will not disclose from whom these letters came."

The Attorney General said—

"The days of dynamite and assassination are not yet over, and those who are sitting behind my learned friend"

pointing with great impressiveness,

"know that the days of dynamite and assassination are not yet over."

I have not ended this ugly, this repulsive, this unparalleled story. What happens? Houston is subpœnaed, and the man to whom the Loyal and Patriotic Union are returning thanks for the valuable services he has rendered, when he is subpœnaed to give evidence in that Commission, destroys every scrap of paper or letter which had any bearing upon any point in connection with the forgeries, or his knowledge how those forgeries were contrived. I have felt it necessary to dwell upon this part of the story (I am not complaining of it as regards the Judges), but because the Report is absolutely silent about it, and passes it over with a simple statement that the *fac simile* letter and the other letters in the appendix are forgeries. Well, these papers were destroyed; but we finally got the forgeries before the Commission. As the Attorney General knows, I and my Colleagues urged with pertinacity that the Attorney General should come to the point—that he should stop the recital of that dreadful catalogue of crimes ranging over 10 years which had taken place in Ireland, and come to the pith of the case. But, no; months pass, and it is not until February, 1889, that at last the letters are approached. On the 20th of October, 1888, Pigott writes to Houston, demanding £5,000 for his evidence. In the same month—on the 24th or 25th—he has an interview at which are present,

amongst others, Mr. Lewis and Mr. Parnell. He, in fact, makes a confession; and on November 6 the fact of this interview, and possibly the suspicion that Pigott had made a confession, came to the ears of Mr. Soames, Pigott makes a sworn statement as to the genuineness of the letters, and on November 11—I call the attention of the House to this, for it is of special interest to me—Pigott writes to Houston a letter, a copy of which is sent to Mr. Soames, that he (Pigott) is impressed with the absolute certainty that his evidence will be neutralised on cross-examination. I say this is of especial interest to me, because that is the letter which in a moment of hallucination, I mean no more—of strange hallucination, it seems to me—the Attorney General was under the impression he had handed to me. I had, from motives which seem to have been misunderstood, not only abstained from taking part in the debate upon this matter, but the Division consequent upon it. I was not even near the House. I was spending the evening in an entirely different and more pleasant place. In my absence the Attorney General made an extraordinary statement which he said he would prove with "chapter and verse," a form of expression very usual with the Attorney General, namely, that he, so far from putting Pigott into the box without telling us of the existence of the letter, had actually handed to me in Court that very letter. I was obliged to come down a day or two after—and if there are any gentlemen now here who were here then, they will remember that I demonstrated that I had not received the letter which I showed I had asked for day after day and did not get until a much later period. However, I do not want to revive ancient sores in this matter. I still pressed the Attorney General to come to the question of the letters. At last he makes up his mind to come to them, and what happens? I do not think we have yet had any adequate explanation. Before putting Pigott into the box, they proceeded to call a respectable man called an expert, Inglis by name, to prove that those letters were genuine in order to lay some *à priori* foundation upon which to support the evidence which at that time the Attorney General knew Pigott had himself declared to be evidence which would not stand the test of cross-examination. And it was only after some strong remonstrances, backed up by the expression of opinion by the Judges, that at last we had Pigott in the box, with the result which the House knows. I do not intend to pursue this story further. I am urging all this in answer to the arguments which such politicians as the new Minister put forward, that the *Times* deserves well of the country.

MR. CHAPLIN (Lincolnshire, Sleaford): That is not what I said. With the permission of the House I will state the effect of what I said. While I condemned with the utmost severity the conduct of the *Times* with regard to the letters, I said that for bringing home to the minds of the public and for proving what the right hon. Member for Derby called a "foul conspiracy," they deserved the thanks of the country.

*SIR C. RUSSELL: Wel', I am urging these considerations in support of the Amendment, and showing how, in face of this grave wrong committed in these circumstances of the grossest negligence, persisted in after denial by the hon. Member for Cork, repeated by the dissemination of *Parnellism and Crime* and the *fac simile* letter at the bookstalls in the railway stations, broadcast in their tens of thousands, no apology, hardly the pretence of an apology, was offered. There was a request, forsooth, by the Attorney General that he might be allowed to withdraw the letters from the consideration of the Commission. But what makes this matter much worse to my mind as regards the conduct of the *Times* is—this withdrawal or *quasi* apology having taken place in the month of February—that we find as late as the month of October, 1889, there are telegrams going to and coming from America for the purpose of obtaining supplies of incriminating documents in place of the forgeries which they were obliged to withdraw. Now, Mr. Speaker, I have made a very serious demand upon the attention and patience of the House. I feel that I have imperfectly dealt with many parts of this great case—for great it is from a national point of view. You, the Conservative Party, the gentlemanly party as you think yourselves—[*cries of* "Oh! Oh!"]—the Constitutional Party, you entered upon this enterprise of appointing this

Commission—I know you are sorry for it now—upon the assurances of the Attorney General that he would prove the case up to the hilt. You believed that you might make capital out of it. Yes; I think the bye-elections which have since happened are changing your view in that direction. I think the message from St. Pancras is the latest commentary on this subject. The sense of justice in the English people is their great and abiding characteristic. They may be sometimes carried away by prejudice and by gusts of passion, but their judgment is ultimately sound and just. But your object in this debate is to discredit Mr. Parnell and his Colleagues in this House. This is to me one of the most painful incidents of this debate—that whenever from those Benches there has been a generous statement, or something approaching to it, uttered with reference to Irish matters, there has been a dead silence. And when charges have been flung at their heads, and the worst and a wrong construction placed on the findings against them, you have thought it becoming to cheer to the echo. You are pursuing a very blind course. You are seeking to drive from public life and from the leadership of an important Party a man who can point to great achievements done, not for Ireland alone, but for the whole Empire, for the weakness of Ireland is the weakness of the Empire, and the improvement of Ireland is added strength to the Empire. He can point to great achievements accomplished in 10 years—to more than has been accomplished in the 80 years preceding. He has been helped in this by the growing spirit of intelligence and sympathy in the minds of the English people, inspired and fostered by a statesman of genius who leads this Party. But, if you were only wise enough to see it, he has done more than that. He has shifted the fulcrum of Irish politics to the floor of this House. He has drawn away from Secret Associations the great popular forces, and turned them into Constitutional action which may have had its attendant evils, which may have had its blots, but which, in spite of your policy, has made Fenianism and Secret Societies cease to be a political factor in Ireland to-day. Above all, he has taught the Irish people to have faith in Parliament, in its sense of justice, to look to Parliament for methods of reform. You are not pursuing a statesmanlike course. Had Mr. Parnell stood by his class, actuated by the selfish interests of his class—had he forgotten that he was an Irishman—had he forgotten his duty as an Irish Representative—had he stood, as Grattan phrased it, "and offered himself in the market of St. Stephen's"—had he refused to listen to the cry of calamity in his country—a cry too often misinterpreted as a cry of sedition and treason—had he done these things, he would, no doubt, to-day be regarded by you as a decorous Member of this House. But the man who has achieved what I have said you seek to dishonour. Are there no men amongst you magnanimous enough, statesmen enough, to try and lift this question above its personal character? Do you not see that behind Mr. Parnell stands a nation and a nation's hopes? Do you not see that if you wound him you wound and insult them? Do you not see that by that course you are not healing, but embittering an International quarrel which every good man who has the interest of the State at heart should wish to see ended for ever? Ah! you will, by your Party vote, carry this Motion. But if you gain this victory, it will be, at best, a Pyrrhic victory; and in achieving it, you will have displayed the qualities neither of statesmen nor patriots.

*(7.5.) SIR R. WEBSTER: I wish that I could hope that the House was about to hear from me a speech one-tenth as eloquent as that which has just stirred the feelings of the House. The House has listened to a speech delivered by one of whom I have said outside this House that he is, perhaps, the greatest Advocate that the Bar of England possesses at the present day—and I am sure that will not be taken as an empty tribute paid across the floor of the House. He is aware of what my opinion of his previous speeches has been. I fear that I must trespass on the attention of the House at considerable length, and though I am aware that many Members who listened to my hon. and learned Friend's magnificent speech have left the House since he sat down, still there are present a considerable number of Members who, I think, would wish that I

should deal fully with the charges that have been made against me. I think I have received but scant justice from the right hon. Gentleman the Member for Derby (Sir W. Harcourt), but, whatever his view may be of my personal character, I think he would wish that I should be fairly heard in this matter.

SIR W. HARCOURT: Hear, hear.

*SIR R. WEBSTER: Four of the Advocates closely connected with this case have already spoken, namely, the hon. Member for South Hackney (Sir C. Russell); the hon. Member for York (Mr. Lockwood); the hon. Member for Dumfries (Mr. R. T. Reid); and the hon. Member for the Harbour Division of Dublin (Mr. T. Harrington); and I presume that at some time the hon. Member for Fife (Mr. Asquith) and the hon. Member for East Donegal (Mr. A. O'Connor) will address the House on this Motion. Still, I hope I may assume that the worst accusations that can be made against me have been made, and that I am not to be asked to meet other and worse charges when I have closed my speech. There has been added to my burden this evening the task of dealing with the attack made on me in respect of my Oxford speech, an attack which is a re-echo of the still fiercer one made by the right hon. Gentleman, who thinks it his especial province to direct the attention of the nation to my wickedness. I think it would be best that I should at once and for ever dispose of the arguments which have been addressed to the House as to the iniquities and enormities I was guilty of when I went to Oxford. I think the attack would have been more serious and graceful—if I may use the word—if it had not been accompanied by the somewhat sneering observations that more than once disfigured the remarks of the hon. and learned Gentleman. Why he should speak of canting and pharisaical observations ——

SIR C. RUSSELL: I did not apply that remark to you. It was a different portion of my speech altogether.

*SIR R. WEBSTER: If the hon. and learned Gentleman says that he did not mean to apply it to me I at once accept his assurance; there are far more important matters to discuss; but I must say with reference to my Oxford speech that, unfortunately, I cannot agree that I transgressed in one single bit, either from a proper discharge of my duty or from a proper recognition of my position. The hon. and learned Gentleman suggested that I rushed down to Oxford, and made it an opportunity for delivering a speech that I should not otherwise have made. As a matter of fact, it is known to some Members of the House that I was announced to speak at Oxford something like six weeks before. The point of the observation is the suggestion that I had no right to speak about the Commission at all, and should have abstained altogether from any criticism or observation with regard to it. The right hon. Gentleman the Member for Derby shakes his head, but he must have forgotten the language he used respecting me at Bath. The position was this: The *Pall Mall Gazette* and the *Daily News* had, on Friday and Saturday, in the most distinct and positive manner, asserted that the Report was an absolute and complete acquittal of the Irish Members on every charge. There was no qualification; the Judges were lauded to the skies, and were said to have given a complete verdict of acquittal. The right hon. Member for Derby has gone the length of saying that *Parnellism and Crime* was of no importance until Her Majesty's Attorney General took up the matter in the case of "O'Donnell *v.* Walter," vouched for these forgeries, and pledged his reputation to prove them. My hon. and learned Friend the Member for South Hackney said that I had assured the Conservative Party that I would prove my case up to the hilt. I am in the hearing of those who have watched my utterances pretty closely during the past three years, and I assert that I never have at any time used the expression of pledging my reputation, or, in fact, have pledged my reputation as to the truth or falseness of the charges in *Parnellism and Crime*. I have, in fact, never expressed my own opinion directly or indirectly upon the point. The hon. Member for Fife has intimated that he intends to watch what I say with a view, if possible, of correcting mistakes, and I am glad that he should do so. I say emphatically that I am not conscious of having expressed my opinion, either in the House or outside it, as to the truth of the charges contained in *Parnellism and Crime*, and certainly not in connec-

tion with the forged letters. When I went down to Oxford I found my tongue for the first time unfettered on the subject, and having regard to the fact that the *Daily News* and the *Pall Mall Gazette* had in the most clear manner asserted that the Report was a complete acquittal, I appeal to hon. Members whether it was not right and fair that the person most responsible, according to the view of hon. Members opposite, should then at last speak out freely. And I say that had I been silent the *Pall Mall Gazette* and the other newspapers would have exulted in the fact that I was silent, and would have stated that I dare not refer to the Report of the Commission because it was a complete and absolute exoneration. Had I been silent my silence would have been attributed either to cowardice or to a belief on my part that the Report amounted to an acquittal. I will now proceed to deal with the four specific charges made by the hon. and learned Member for Hackney. I do not think he has brought to bear on my speech ordinary judicial fairness. Anybody who has read that speech from beginning to end will notice that I pointed out the difference between boycotting and exclusive dealing before I got to the passage to which my hon. and learned Friend refers in language of most severe censure. My hon. and learned Friend began by saying I was developing a dangerous genius for inaccuracy. I do not suppose he means intentional inaccuracy. If it be a question of verbal accuracy, I am quite willing to submit it to the judgment of the House whether his criticism is or is not well founded. The first point is that I stated that throughout my hon. and learned Friend's speech before the Commission he had said there was no connection between the Fenian organisation and the Land League. I hope the House has followed what my hon. and learned Friend said in regard to that matter. He said—

> "It is an entire mistake that we have always said there was no connection between the Fenians and the Land League,"

and he attempted to justify that expression and to criticise my language by saying—

> "We never disputed the fact that individual Members of the Fenian body had abandoned their Fenian objects and were prepared to join in the Constitutional methods of the Land League."

That was the point to which my observations at Oxford were directed, and I venture to repeat them now, for I say that so far from its being true that the object of the hon. Member for Cork was to win the Fenians from their illegal purposes and embark them in Constitutional methods, he intended to get the support of the Fenians as Fenians. If I make that good, I think my hon. and learned Friend in the quiet of his chamber, to which the right hon. Gentleman the Member for Mid Lothian referred so touchingly the other night, will admit I have made good my point. Let me read one passage from the Report and contrast it with the observation made to-night by my hon. and learned Friend that the Fenians only desire to be enlisted as individuals—

> "It is apparent that the object was not to win over the Fenians from their illegal and insurrectionary courses to a constitutional policy, but to retain their assistance, by making it clear that the Land League leaders did not condemn their flagrantly illegal acts, and by the avowal made by Mr. Dillon that he sympathised with them."

That is the language of the Report of the Commission. Of course hon. Members opposite may say it is not justified by the evidence. You may say as much as you like it is not well founded, but I am entitled, for the purpose of my argument, to take it as a finding which must be accepted, and no person bringing a candid judgment to bear on that finding can come to any other conclusion than that it was a finding that the Land League intended to obtain the assistance of the Fenian Organisation. It is a direct negative of the proposition so strenuously maintained by my hon. and learned Friend. The next point was that I stated that no money had ever come from America. That statement, if it were not so seriously made by such an authority, would be almost laughable, for it suggests that I denied that people in America had subscribed any money, even for perfectly legitimate objects in Ireland. When we remember that a very large portion of the relief fund came from America, it would be absurd to suggest such a meaning to my words. But is it fair for even a political antagonist to use

such arguments? I will be judged by the passage in my hon. and learned Friend's speech which I had under my eye when I made my speech at Oxford, and it is that since the year 1882 not a single penny, either directly or indirectly, was received through the *Irish World*. [Mr. T. HARRINGTON: By the National League.] No. This is the passage. I beg the hon. Gentleman's pardon. It is useless to attempt to put any gloss on the passage. There is no mistake about it. After referring to the denunciation of Patrick Ford, my hon. and learned Friend says this—

"After May of 1882 the *Irish World* was actively hostile to Mr. Parnell and to Mr. Parnell's movement. It is true that it had opened its columns for contributions to the relief fund, and that in its columns were acknowledged, and through its agency remitted to Ireland, very large sums for Irish purposes. But after May of 1882 not one penny, as I am instructed, directly or indirectly was received through the *Irish World*."

Was not that statement intended to represent that the wicked Patrick Ford, the representative of the *Irish World*, had, after May, 1882, not transmitted one penny, directly or indirectly, to the Nationalist movement? If it was not then I honestly say I do not understand what the meaning was. It is sufficient for me to point out that, notwithstanding the violent attacks made on my Oxford speech, the warrant for the statement I made was taken from the speech of the hon. and learned Member for Hackney. And what is the statement in the Report?—

"It has been further proved that, while the Clan-na-Gael controlled and directed the Irish National League of America, the two organisations concurrently collected sums, amounting to more than £60,000, for a fund called the Parliamentary Fund, out of which payments have been made to Irish Members of Parliament amounting in the year 1886 to £7,556, and in 1887 to £10,500. . . Though it has not been proved that Mr. Parnell and the other respondents knew that the Clan-na-Gael controlled the League or that the Clan-na-Gael was collecting money for the Parliamentary Fund, it has been proved that they invited and obtained the assistance and co-operation of the physical force party in America, including the Clan-na-Gael, and, in order to obtain that assistance, abstained from repudiating or condemning the action of that party. It has also been proved that the respondents invited the assistance and co-operation of, and accepted subscriptions from, Patrick Ford, a known advocate of crime and the use of dynamite."

Is it fair, is it just, for anybody to say that I have been wilfully and almost intentionally misrepresenting the arguments of my hon. and learned Friend and the text of the Report? I will just remind the House of the next point. My hon. and learned Friend stated it had always been admitted that the leaders of the Land League did not object to boycotting. Does he suggest it was always admitted that the leaders of the Land League encouraged intimidation? Does he not admit that he argued for hours that they had discouraged intimidation, and contended that what they encouraged was what is now described as exclusive dealing? My hon. and learned Friend described it, in language which is almost burlesque, as "the focussing of public opinion." I have no wish to attack my hon. and learned Friend. He knows that perfectly well. It is only because I have been attacked for political motives on the floor of the House that I feel it my duty to make my position clear. I say that in passage after passage my hon. and learned Friend in the most distinct manner stated that they never did encourage intimidation, but only boycotting in the sense of "the focussing of public opinion in a given district." He says—

"I am not justifying intimidation; I am not justifying force; I am not justifying violence in connection with it; those are different things. I am talking of an act of moral reprehension called boycotting."

Does the hon. and learned Member now suggest that I should have told my audience at Oxford that "boycotting means the focussing of the opinion of the community in condemnation of the conduct of an individual of that community"? If I may be allowed to make the observation good-humouredly, I think that expression worthy of the right hon. Member for Mid Lothian himself. It is one of those paraphrases which may mean anything or nothing, and which are so convenient in the utterances of great political men. The charge is that I said at Oxford this kind of boycotting had not been encouraged. Any one who candidly reads my speech will come to no such conclusion. Let me recommend those who heard my hon. and learned Friend to read the distinction between the boycotting found by the Commis-

sioners and that described in the speech of my hon. and learned Friend. On page 53 of their Report the Commissioners say—

"We are of opinion that the combination, of which boycotting was the instrument, was illegal both in its objects and the means which were adopted. The object of this elaborate and all-pervading tyranny was not only to injure the landlords, against whom it was directed, by rendering their land useless unless they obeyed the edicts of the Land League, but to injure the landlords as a class and drive them out of the country."

Will the House mark this? Then the Report goes on to say—

"It is further to be observed that, although boycotting led in many cases to actual outrage, yet it was persisted in for years against the same individuals, and was generally recommended, notwithstanding the evils which plainly resulted from it."

And this is said to be the finding which I ought to have read as equivalent to the "focussing of public opinion," which had never been from beginning to end disputed by my hon. and learned Friend. At page 92 of the Report this is put in the strongest manner; the Judges say—

"We find on this allegation that while some of the respondents, and in particular Mr. Davitt, did express *bonâ-fide* disapproval of crime and outrage, the respondents did not denounce the system of intimidation which led to crime and outrage, but persisted in it with knowledge of its effects."

I have shown that my hon. and learned Friend alleged that boycotting, in the sense of excessively cruel violence, was always contrary to the wishes of hon. Members below the Gangway, and I ask the House whether to charge me with misrepresenting the finding of the Commission is a proper criticism of what I said at Oxford. I should like to add that the statement of my hon. and learned Friend that they had always discouraged intimidation was amply supported by those who came to give evidence. Mr. William O'Brien came and said that what the League meant by boycotting was only Irish for blackballing, and that when he referred to boycotting as being considered constitutional means, he distinctly meant boycotting short of intimidation. I am perfectly unrepentant in regard to my Oxford speech. I have shown that the passages in the magnificent oration of my hon. and learned Friend, which was delivered in the presence and with the approval of the Irish Members, laid down certain propositions which are distinctly and absolutely one and all contradicted by the finding of the Commission. My hon. and learned Friend has repeatedly said—and I do not complain of it—that I stated that not a single speech had been made denouncing crime and outrage. I have never denied that that statement was too wide. I made it in ignorance; but I was referring to the speeches of leaders, and I was not aware that certain subordinate Members of the Party had made some speeches in denunciation of outrage. Let it be understood that the principal leader, Mr. Parnell himself, admitted before the Commission that he had not sufficiently denounced outrage, and almost expressed his regret that that was so. When he was cross-examined by me as to why he had not, when Davitt was in prison, made speeches similar to those of Davitt, he said he had not had time, and there had not been opportunity. Do not let the question be judged by a slip of counsel, the unintentional use of an expression which was too wide in its meaning. Let it be judged by the language of the authority to which appeal has been made in this House, the language of Michael Davitt. In the letter which Mr. Davitt wrote to the *Standard* in May, 1882, he said—

"You next call upon my friends and myself to employ our recovered liberty to give the world solid and unanswerable guarantees of the loathing with which we regard all forms of outrage by making a fresh pilgrimage through the country, and to never desist from denouncing assassination until these hideous crimes are exorcised from the land. I agree with you, Sir, that such a pilgrimage ought to be made even now. Had it been made before, it is my firm belief that the terrible tragedy of the Phœnix Park and many another tragedy, which, though it has not attracted so much attention, has wrung heartstrings as bitterly, would never have occurred. Why have there not been such pilgrimages? Let the facts answer so far, at least, as I am concerned. From the first initiation of the Land League I warned Irish people against outrages as the greatest danger of the movement."

How was it, when crime was so prevalent as the Commissioners found it to be, when Davitt thought the case was serious, that the best interests of the Land League were being injured by crime, that the hon. Member for Cork, the late hon. Member for Cavan, and others, one and all abstained from making a single speech in denunciation of crime, and with the

object of putting an end to it? I admit, in the frankest way, that, taking my words in their largest sense, they were too wide; but in spirit and substance they were true. It is not the fact that there were hundreds of speeches denouncing crime; I think proof was given of only 20 or 30. I admit that there was denunciation of crime; but if there had been emphatic protests from the leaders of the League their case would have been very different. How different was the language ordinarily used from that which was used by Mr. Davitt, Mr. Dillon, and Mr. Parnell after the Phœnix Park murders! I pass with a clear conscience from the suggestion that I misrepresented facts in my Oxford speech. A grave attack has been made upon me respecting my conduct of the case. I was placed in a position of great responsibility as the leader of the six counsel conducting the case. Any person so placed must bear the brunt of responsibility. Let me at first deal with the matters for which I am personally responsible. I take the sole responsibility for making the opening speech, and I am asked to apologise for a statement I made. It would be very wrong of me to do so, for an advocate does not express his own views, but those of the persons whose case he states. If an advocate were always to be thinking of himself and of his reputation there would be an end of that allegiance, that honourable allegiance, to the cause of the client to which every advocate is bound. Let me give a parallel case. Soon after I had the honour of wearing a silk gown, there was a case against two leading stockbrokers, of whom I defended one and Sir John Holker the other. The hon. and learned Member for Hackney, in opening the case, alleged that the defendants were guilty of the most infamous frauds, and in the discharge of his duty he poured out the vials of his wrath in eloquent and forcible language. But the jury acquitted the defendants, with the full approbation of Mr. Justice Lush. Did the hon. and learned Gentleman then apologise? Take another case. Nothing can be stronger than the attack my hon. and learned Friend made upon the witness Le Caron, of course on instructions. Le But the Judges acquitted Le Caron and believed him against the oath of Mr. Parnell. Has Le Caron a right to call upon the Member for South Hackney for an apology? The idea is absurd. Does my hon. and learned Friend say that if he had gone out of his way as counsel to say what was not in his instructions with respect to Le Caron, he would not apologise? I know he would—because he is a man of honour. I know the great power and position of my hon. Friend, but I yield to nobody in my determination that to the best of my lights I will carry on my profession honourably and straightforwardly. I say that if I had gone beyond my duty as counsel and had said anything which was not based upon strict instructions, I would apologise frankly and straightforwardly at once. But as I knew perfectly well the matters which I laid before the tribunal were based on positive instructions in writing, it would be ridiculous for me, and absurd for anybody to ask me, to give an apology in respect of these matters. Let me deal at once with the particular matter which three hon. Members have thought fit to pick out—I do not complain of it—and which the House has more than once had brought to its attention. If I mistake not, it was one of the matters which the right hon. Gentleman the Member for Derby thought he was justified in going down to an audience at Bath, and saying "it was a gratuitous invention of the Attorney General."

SIR W. HARCOURT: I used the words—

> "I think in the Report they said this did not appear in the *Times*, but was introduced by the Attorney General in the case of 'O'Donnell *v* Walter.'"

*SIR R. WEBSTER: I noted the words down at the time. Let me be accurate. The words were:—

> "According to the statement of the Judges, it seemed to be a private invention of the Attorney General."

Does the right hon. Gentleman say that there is anything in this Report which suggests that I ever invented anything? I really do not think the right hon. Gentleman will, in his calm moments, persist in the statement which he made on the platform at Bath. "A gratuitous little invention on his own account" were the right hon. Gentleman's word. Well, being anxious to see whether I went beyond my in-

structions or not, I have sent for the written proofs, and I find that although we were not able afterwards to call the evidence—and I am not now saying that the evidence put before me was in all cases trustworthy—yet the proofs in writing of the witnesses were most carefully taken at the time, and they warranted, and more than warranted, the statements which I made. I can go no further. My word must be taken in the House upon this, but I may say I shall be perfectly willing to show the proofs in confidence to any of my hon. and learned Friends provided that they do not disclose the names. I am sorry that my hon. and learned Friend the Member for York is not here, as the House must have rather understood him to suggest that when I said I was speaking from my instructions the statement was not to be received. Again, speaking at Cambridge, the hon. and learned Member for South Hackney, I noticed with regret, repeated several times the phrase, "Of course, according to his instructions," amid the laughter of his audience. I do not think he did mean to suggest that I went beyond my instructions; but still, when such words are repeated amid the laughter of an audience, what is meant to be understood by the reporter is that the counsel has not acted in accordance with his instructions, but has gone beyond them. I care not in the least to justify myself, and it is all very well to sneer, as is frequently done, across the floor of the House. I say, I do not in the least care to justify myself, but it would be absurd for me to pass by these attacks in silence, because in that case it would be understood that allegations and charges are made by me without warrant, and, as the right hon. Gentleman suggests, are the gratuitous inventions of the Attorney General. I pass from that, however, and I have now to deal with one or two other important matters. My hon. and learned Friend the Member for South Hackney has repeated the suggestion that the inquiry was a game of surprises. A more unjust statement can scarcely be imagined. With the agreement and advice of my five hon. and learned Friends who were associated with me, I came to the conclusion that it would be impossible for us to disclose the names of the witnesses; but my hon. and learned Friend got a promise from the Commissioners that if any witness took him by surprise, that witness should be ordered to stand down at the time and his cross-examination should be deferred. The House will perhaps be surprised to hear that only in two cases did he avail himself of that privilege. And why? Anybody can read the evidence to see whether I am right or not. I say it is perfectly ridiculous to suggest that he did not know all about the witnesses. We took the witnesses by counties. I admit that we were obliged sometimes to alter the order. My hon. and learned Friend had the most complete information as to the antecedents of the witnesses. This whining complaint is not worthy of my hon. and learned Friend. If there was any substance in it why did he not ask that particulars should be set forth? I say that, so far from its being a game of surprises, there was ample, sufficient, and distinct notice of the cases and the localities from which the witnesses came. My hon. and learned Friend says that I rancorously conducted this case. "Pertinaciously" I do not mind, because it was my duty to conduct it in that way; but rancorously! He says, also, that it was a criminal proceeding. It was nothing of the kind. It was an action for libel being tried in the ordinary way, and nobody has ever heard in any civil action for conspiracy or otherwise of the defendants being entitled to know the names of the witnesses; and for obvious reasons. Then, says my hon. and learned Friend, the charge was launched as a conspiracy, which enabled an act done by someone else in Kerry to be fixed upon Mr. Parnell in London. Has my hon. and learned Friend never had to do with conspiracy before? What was the criticism of the President, when a similar objection was taken on a particular question? He said, "is not a General responsible for the acts of his soldiers?" I say that when you get a finding, as in this Report, that the Land League conspiracy was for the purpose, by illegal means, of obtaining illegal results, then I say it is idle to make any complaint of the fact that the case was launched as a conspiracy, for it could be nothing else. Then the hon. and learned Member for South Hackney complained that the suggestion to fix the

Member for Cork with responsibility on account of what was said by Scrab Nally was unfair; but I say that Scrab Nally stood on the same platform as the Member for Cork, and made violent speeches which were never repudiated. But there was another Nally who was imprisoned, and who subsequently stood as a candidate. Will the House just note what the Report says on p. 93? It is a commentary, a striking commentary, on what we have heard in this matter. Mr. Parnell refers in the speech quoted in the Report that I now hold in my hand to the important services, the great and important services, rendered to the cause of the Land League by Mr. P. W. Nally. Then he goes on to say—

"I believe of Mr. Nally that he is one of the victims to the infamous system which assisted in this country during the three years of the Coercion Act. I believe of Patrick Nally that he is a victim of the conspiracy which was formed between Lord Spencer and the informers of their country for the purpose to obtain victims to what they called 'law and justice' by any and every means, whether they were innocent or not."

And this, forsooth, is the gentleman who complained through the mouth of his advocate that it is a hardship that the organisation of which he is President is shown by the direct action of his subordinates to have been guilty of a system which brought about these outrages and crimes. Now, Mr. Speaker, there is one very serious charge which was made. It is not part of my duty to go into the long story of the forged letters. But one very serious charge was made against me—a charge which I should like to deal with at once. It is suggested that I advisedly and for some wicked motive kept Pigott out of the box until a late date. To suggest that I kept him out of the box for any improper motive is very unfair and unworthy attack to make upon me. I must bear the responsibility because I happened to be the leading counsel; but this I will say, that although there were, and must sometimes have been, differences between me and the other counsel acting with me as to the policy or prudence of a particular course, the action I took with regard to calling Houston and Pigott was the result of an unanimous opinion arrived at after consultation between us. I do appeal to the sense of justice of hon. Members. Let me remind them that when this attack was attempted on the 9th February before the Commissioners, I at once jumped up, and said I desired to make it plain that it was always my intention to call both Houston and Pigott; and the learned President said at once that they had certainly always understood so. It is so easy to be wise after the event. It was so easy to be wise instructed as my hon. and learned Friend was. My hon. and learned Friend had in his pocket the letter of Archbishop Walsh, of which I had no knowledge, of which I had no notice, and which I never saw. To make this, then, a ground of solemn attack against a professional antagonist appears to be unworthy of this debate. And I should like to refer here to certain observations which have been made by some hon. Members opposite, particularly below the Gangway, in which contrasts have been drawn between the conduct—or I should say, perhaps, the supposed conduct—of my right hon. Friend the Member for Bury and myself. I am aware that I have been described as the villain of the piece, and my right hon. Friend has been described as the man who forced me to do in the case what I otherwise should not have done, and I know that the attempt made to cover him with compliments at the expense of others is as nauseating to him as it is unfair to me. I think these strictures upon the conduct of the case should be addressed to the body of counsel. To suggest that the Attorney General or the Government designed the method as a means to attack political opponents is an argument which I am certain does not commend itself to fair-minded men, and having adverted to this I am content to leave it to the judgment of the House. There are one or two matters of importance in the speeches to which I must refer, and in doing so I wish to refer to an argument used by the hon. Member for Dumfries in connection with the disappearance of the Land League books. I confess, Sir, that it seemed to me that the hon. Member for Roxburgh was not far wrong when he said the hon. Member for Dumfries had forgotten that he was in the House of Commons, and that he must have been under the impression that he had his wig and gown on, for he

proceeded to talk about the books for 10 years and about those for nine years having been produced, and contended that, after all, there was no ground for the complaint that the books of the League had not been produced. What are the facts? The important period of time was from October, 1879, up to October, 1882, as to the Land League books, I mean. I am making no suggestion as to the books of the National League. There was an interim League; it may be called, perhaps, the apostolic successor to the Land League—the Ladies' Land League. That League dispensed, or made away with, a large sum of money handed over from the Land League—from £50,000 to £70,000—as to which not a vestige or scrap of paper or book was produced—not the slightest bit of evidence of what became of that money. When it is said that the raid which it was expected would be made on the books by the Government—a raid which, however, never came off—was sufficient to account for the disapperance of the books, I do not think that many hon. Members will be disposed to accept the statement as a satisfactory explanation. Then, again, yesterday afternoon we had a most extraordinary incident in this House, when the hon. Member for South Fermanagh—whom, let the House bear in mind, the hon. and learned Member pledged his word to the Commission should be recalled—rose and made a statement, which may be shown, if gone into, to be difficult of acceptance, with reference to the books and which certainly ought to have been given in the witness-box.

*Sir C. RUSSELL: It is quite true that I undertook that all the incriminated Members should be called, and I also went on to say that others who were not incriminated should be called for cross-examination if the Attorney General desired it. From circumstances I need not mention counsel retired from the case in July. If, therefore, the Attorney General had expressed any wish for Mr. Campbell or any other Member to be called it might have been done.

*Sir R. WEBSTER: I am not referring to that, but to a specific statement, made by the hon. and learned Member when he was still counsel for Mr. Parnell, that Mr. Campbell should be re-called. It arose on the day my hon. and learned Friend will not forget. The hon. Member for Fermanagh had given his evidence as to the forged letters, and was going out of the box, and not being asked the question, my hon. and learned Friend said, as to the case generally, "Of course, Mr. Campbell will be re-called on the rest of the case." I make no complaint against my hon. and learned Friend, but I do say that over and over again the Court stated that they attached great importance to the disappearance of the books, and that they thought that every effort should be made to get them, and I repeat, and I ask the House to mark it, that if the explanation given so readily in this House yesterday afternoon was true, it ought to have been given in the proper place, the witness-box. The House, I think, will hesitate before they accept as of equal value, the recollection of the hon. Member, and the evidence he might have given under cross-examination in the witness-box, especially when it is remembered that the hon. Member for East Donegal, who was examined as a witness, never suggested there was a mistake or anything wrong in the matter. But this does not depend upon the presence or absence of any particular person. By the merest accident we happened to get hold of a batch of letters showing the system which had been adopted and followed in the Land League office on two days—40 or 50 letters, of which 10 or 12 were put in evidence, and of which two or three were extremely material. I allude to the Horan and Butterfield letters. These establish the system that was followed, though all the books and documents have disappeared, all the letters of application, all the papers stating how those applications were dealt with, and what money was paid. The initials on these letters were those of Mr. John Ferguson, and in this connection it must not be forgotten that Ferguson admitted under cross-examination that there had had been many such cases of applications granted and money paid. [*Cries of* "No."] The late hon. Member for Cavan (Mr. Biggar) stated that in the ordinary course many such cases would come before the Committee to be considered. I contend, then, that the disappearance of all those papers, of which there must have been many hundreds and thousands, can only

be accounted for by intentional discretion. It cannot be otherwise explained.

MR. SEXTON: The witness Phillipps, who had the control of a great number of the documents for a long time, stated in Court that he had never in all that mass of documents seen one of the nature suggested by the Attorney General, and that no one belonging to the League had ever asked him to destroy a document.

*SIR R. WEBSTER: Does the hon. Gentleman suggest that a clerk would be able, under the circumstances, to remember the contents of every single letter of such a mass? The question is, what was in those letters? Were there any applications for money among them, or any evidence of payment of money? Unfortunately for the case of the *Times*, it was made impossible for us to get at the letters, for, as has been stated by an hon. Member behind me (Sir C. Lewis), if they could have been produced they would have proved a great deal of what the Judges have been compelled to say there is no proof. There is another point to which I wish to call the attention of the House—the attacks that have been made on Major Le Caron and upon the informers' evidence. Now, besides Le Caron, there were 13 informers, and I want the House to follow this, because it shows the strength of the case the *Times* proved and the utter collapse of the case set up by the respondents; 96 persons were mentioned as still living, their addresses and Christian and other names given, who were cognisant of the particular acts of which the informers spoke; while on behalf of the respondents only four persons were called to contradict the evidence of the informers, and of those four two hopelessly broke down, and it was clear that the story which the informers told was quite true. Do hon. Members think that the respondents did not ransack Ireland from end to end to try to find witnesses who could throw doubt on the informers' evidence, that with all the resources at their command they did not rightly and properly do their utmost to refute that evidence; for we, recognising that an informer has to be corroborated, produced all the evidence we could get. I ask hon. Members to look through the Report and see whether in many of the cases given there are not overwhelming grounds for believing that the informers spoke the truth. When it is seen that the respondents were unable to produce evidence in contradiction of the informers, and when by cross-examination of other witnesses—priests and others—it was shown that the story of the *Times* and the statements of the informers were true, one can understand why there was no unwillingness on the part of some of the respondents to bring the evidence to a close, and a desire to retire from further examination. Now, the American transactions formed one of the most important parts of the case, and I shall presently have to refer to the observations of the right hon. Gentleman the Member for Mid Lothian in this connection. But I ask the House to consider whether or not the evidence of the hon. Member for North Fermanagh was not most vital and important to the case, and it is perfectly true, as an hon. Member said last night, that he was frequently in and out of the Court during the Commission. There can be no excuse whatever for not calling Mr. W. H. Redmond, other than that in all probability if he had given evidence a great deal more actual knowledge of what was done respecting America would have been obtained. But there is another matter which the House does not yet know, namely, that except Mr. M. Harris and Mr. J. J. O'Kelly no Land League organisers were called.

MR. T. HARRINGTON (Dublin, Harbour): I was one.

MR. SEXTON: And I.

*SIR R. WEBSTER: I did not refer to those who were in the high position of the two hon. Members opposite; I was referring to those persons who were sent all over the country, and whose speeches were proved by the hundred, to men like Gordon, the actual organisers of the League, the men who did the work, and it is a fact that I am right in saying that beyond the two persons I have mentioned not one single organiser was called. But not only that, but no official of the League was called out of the many who might have been called; J. P. Quinn, who was in constant attendance, Doriss, Harrison, Burton, Pearce, Tighe; not one out of these various officials was called. I say that the cumulative nature of the case is quite irresistible. Hon. Members opposite may say that it was our duty to call this man or that man,

but if this had been the innocent association which the hon. and learned Member opposite has described—a cross between a soup kitchen and a relief society—there would have been no difficulty in proving the nature of the organisation. Why, we should have had the fullest disclosure; we should have had organisers and committee men pressing into the box to be examined. But the House of Commons is not a Court of Justice; the House of Commons must judge of these things as men of the world, and I say that the inference to be drawn from the suppression of books, no account being given of money, and the absence of officials, is that it was to the interest of the respondents that a full disclosure should not be made. I say that it is the mildest judgment that could possibly be passed when the Commissioners say—

"We have not received from Mr. Parnel and the officers of the Land League the assistance we were entitled to expect in the investigation of the Land League accounts, in order that it might be seen how its funds were expended."

There is another matter to which I must in a very few words call the attention of the House, that is, the extraordinary disappearance from the United Kingdom of persons intimatedly connected with the Land League in February, 1882, in connection with the Phœnix Park murders, among whom I say there were men who were Invincibles and leading members of the Land League, though I am not entitled to say that they were members of the Land League as Invincibles. There was P. J. Sheridan and Patrick Egan.

*Sir C. RUSSELL: Can the hon. and learned Gentleman call attention to any evidence of Egan having anything to do with the Invincibles?

*Sir R. WEBSTER: I stated that Patrick Egan disappeared from the United Kingdom at a given date. I think that there is most plain evidence that he was in close connection with the Invincibles, but for the moment I will assume that I was mistaken in that. My point is that Egan, Sheridan, Brennan, Byrne, John Walsh of Middlesbrough, and others who were undoubtedly proved to be prominent Land Leaguers, disappeared from the United Kingdom when the evidence of the Phœnix Park murders came out in Dublin. What have we a right to assume from the absence of these men, when no reason is given for their going away? Now I must say a word with reference to the observations made by the hon. Member for the Harbour Division with respect to the telegrams, some of which he read to the House. I will not ask him how he got them, but I have been able to make some inquiries about them. I speak now, not on my own behalf, but on behalf of Mr. Walter, and I have no objection to the whole being read. It is suggested that for the *Times* to attempt to get Sheridan as a witness after the forged letters were blown up was something wicked and improper. But I submit on behalf of Mr. Walter that there was hanging over the head of the *Times* an action for £100,000, that it has been settled for reasons I have not to deal with for £5,000. But I say this, that even assuming that all that was read bore the most unfair construction put upon it by the hon. and learned Member—I say that there is nothing of which Mr. Soames or Mr. Walter need be ashamed. What are the facts? Sheridan having asked £20,000, negotiations were absolutely and unconditionally broken off in January, 1889, and they were re-opened by a letter from Sheridan of February 18, 1889, the original of which I have seen. Then comes the mare's nest in which the hon. and learned Member revelled. You will recollect that in one of the telegrams the name of Birch appears. The hon. and learned Member assumed that Mr. Birch was the expert in the British Museum.

Mr. T. HARRINGTON: I did not say that; I said—

"I do not know who he is, but one Mr. Birch was mentioned by Mr. Soames as an expert in the British Museum, and possibly he may be the gentleman who was sent out."

I guarded myself most distinctly.

*Sir R. WEBSTER: I think I am doing the hon. and learned Member no injustice when I say he threw out the suggestion. But, as a matter of fact, Mr. Birch of the British Museum has never been out of England, and the Mr. Birch referred to in the telegram is a skilled solicitor from the offices of Messrs. Wontner, sent over to test and see whether Sheridan had anything to corroborate the story which he had told.

Without wearying the House, I may say that after having asked £20,000, it came down to this, that he was willing to come for £1,000, and that was declined by Mr. Soames, because there was no corroboration of his story. This is a statement which I am entitled to make, and it is only a right thing that I should make it on behalf of those who cannot be represented in this House. I will refer to two telegrams. The first is dated July 9, 1889, and was read by the hon. and learned Member. It is the one which begins—

"Did not see letter, was shown K; he saw it again last night, finds he made a mistake in Castlereagh, it dates Feb. '81," &c.

Then on July 11 this telegram came to Mr. Birch from Mr. Soames—

"We cannot afford to put ourselves in his power. If his danger is so great and he means to go with us he cannot object to treat us with confidence; if he will not he means to sell us. If he will not give inspection of documents and make statements so that you may test the value of his evidence, the only plan will be to break off negotiations with him and to return home."

I am referring to information given to me which is in the handwriting of Mr. Birch, and in which all the telegrams are set out. I say that it is no unworthy or improper action that desiring to get the evidence of Sheridan if he could, Mr. Soames sent out a most experienced solicitor to test that evidence, and if it was not corroborated by documents he was to come back. Suggestions were made by the hon. and learned Member of bribery and similar charges. I do not complain of the hon. Member at all; it was part of his game, and he did it very well, but the fact is this, that those who were being sued in an action for £100,000 desired to prove if they could certain things—not respecting the forged letters, but relating to other matters—with which Sheridan had been intimately connected. I think I have, at all events, in this debate disposed of the matters which the hon. and learned Member for Hackney described as very important which had been disclosed by the hon. Member below the Gangway. I am extremely sorry to trespass either on your indulgence, Sir, or on that of the House; but, at the same time, it is important that I should mention one or two points in connection with matters which have been referred to in this debate. The charges with regard to payments in connection with crime were described by the right hon. Gentleman opposite last night and by the right hon. Member for Mid Lothian as trumpery. I admit that together with one other letter it was the only direct evidence of payment for crime. But it must be remembered that the secretary by whom that cheque was paid never gave any information about it. O'Callaghan, who was proved to be living and to be a leading member of the League at Castleisland, was not produced as a witness; and I venture to think that those who brought forward this argument about "the trumpery £12" should have inquired into the circumstances which affected the minds of the Commissioners. I am afraid I must pass by that argument. The right hon. Gentleman the Member for Mid Lothian told us we were to reject the finding of the Commissioners with regard to secret societies and evictions because they were "non-judicial." He used that expression, or something like it. But what were the issues upon which my hon. and learned Friend invited the Commissioners to give judgment? We find them summarised in page 84 of the Report. It is there stated that it was suggested by the respondents that the causes of crime were distress, secret societies acting in antagonism to the League, and the throwing out of the Compensation for Disturbance Bill. If it were my duty, and it were necessary, I would undertake to read page after page of my hon. and learned Friend's speech, showing that when we suggested that the Land League had by intimidation caused crime, he suggested these causes. [Sir CHARLES RUSSELL: Contributory causes.] And he invited the judgment of the Commissioners upon that point. He asked them to express their opinion that such were the causes, and yet we are to be told that the finding is to be a thing of naught, and that the House is to reject it altogether. Mr. Parnell and many other hon. Members were in the Court from day to day. They listened with glowing ears, and sometimes with tears in their eyes, to the magnificent appeals of my hon. and learned Friend. They adopted them, and they asked that the issue should be found in their favour on them. The issue is found against them, and now they turn round and say it

ought never to have been decided upon, and that it is a matter of which the learned Judges could not judge. There is another important matter, and here I must unquestionably read some passages from the speech of my hon. and learned Friend. "All that is proved was known before," say the advocates of the other side. "All that is new is not true; all that is true was perfectly well known before." Does the hon. and learned Gentleman wish the House to believe that the connection between the Clan-na-Gael in America and the Land League in America was known before? He is perfectly honest and candid; he was expressing his view of the facts, but can he point to a line in which that connection, found by the Commissioners, was admitted? I must read some passages from the speech, which are so striking and strong that they ought almost to be written at large in the Report. Our case was that the Clan-na-Gael had captured and controlled the Land League in America, and that from a certain date it was under the guidance of the Clan-na-Gael. The Commissioners make two specific findings. They find, on page 119 of the Report—

"That the Irish National League of America has been, since the Philadelphia Convention, April 25, 1883, directed by the Clan-na-Gael, a Body actively engaged in promoting the use of dynamite for the destruction of life and property in England."

And they also find, on page 121—

"With regard to the further allegation that he (Mr. Davitt) was in close and intimate association with the party of violence in America, and mainly instrumental in bringing about the alliance between that party and the Parnellite and Home Rule Party in America, we find that he was in such close and intimate association for the purpose of bringing about, and that he was mainly instrumental in bringing about, the alliance referred to."

Now, without a word of comment, I will read three passages from the speech of my hon. and learned Friend, and then the House will judge whether I have correctly dealt with the argument on this point—that everything that was true was known before. This speech was delivered in April, 1889, all the respondents being in Court. Having referred to the Clan-na-Gael, he says—

"But it also shows—and this is the most interesting part of the story of Le Caron—secret attempts persisted in on the part of the representatives of that Clan-na-Gael to capture and control the open movement, and, as I conceive it, did also show that these attempts absolutely and entirely failed."

That was the case put forward. Then my hon. and learned Friend said again—

"Is it conceivable, my Lords, is it not the sheerest absurdity to suggest, or ask the Court to believe, that at the time of this very policy of opposition to this wild, wicked scheme, suggested and adopted by the secret organisation in America, the party of which Mr. Parnell and Mr. Davitt were leaders, was in alliance with that very party?"

Mr. Davitt, the House will note—the man whom the Court finds to have been instrumental in bringing about that alliance. And yet this is the argument upon which the right hon. Gentleman the Member for Mid Lothian suggests that nothing has been disclosed except some trumpery matters. After my hon. and learned Friend had gone through the whole of Le Caron's story, he spoke as follows, which the House will please note—

"But the crushing and conclusive argument against his story is in the history, which I have now gone into (I believe thoroughly). From the beginning to the end of this story there is no suggestion of any such alliance with Mr. Parnell, though there is a constant and persistent effort—that is a part of our case—which proved to be unsuccessful, and which at the Chicago Convention is shown to have utterly collapsed, to capture, get hold of, and manipulate the whole Land League Organisation."

Hon. and learned Members are entitled to their opinions, but for the purposes of my case I am entitled to rely on the finding of the Judges.

MR. SEXTON: Did the Judges not find the respondents were ignorant of that?

*SIR R. WEBSTER: The hon. Member is too acute. My hon. and learned Friend's point was that the Clan-na-Gael did not control the Land League, but that the latter Body worked on different lines. But as long as the finding of the Judges stands, and my hon. and learned Friend's speech remains in print, it will be evident that he put forward a proposition and did his very utmost to obtain a finding in favour of that proposition, while there is a finding distinctly against it. The hon. Member for Cork admitted his sympathy with dynamite, and I use the word advisedly. And it is a remarkable fact that it was proved that

in 1881 there were five dynamite outrages; in 1883, seven; in 1884, eight; and in 1885, four. The right hon. Member for Mid Lothian spoke of the work of the Judges as having unearthed a miserable and obscure paper called the *Irishman*. The hon. Member for Cork would have the House believe that he never knew of it. I will show the House what the Commissioners think of that suggestion. What was the utterance on this dynamite question in the *Irishman*, which was edited by Mr. William O'Brien?

MR. T. HARRINGTON: No, no; distinctly not. He swore that he never edited it or saw it.

*SIR R. WEBSTER: His name was on every issue of the paper. He stated that a man named O'Connor was kept on for the *Irishman*, and continued to do the work. I decline to accept the statement that a man who had allowed his name to appear day by day on a paper is not morally as well as legally responsible for such utterances as I shall call attention to. After the *Irishman* had been in existence for nearly three years there appeared the following:—

"Still the English papers howl at Mr. Parnell for not denouncing the dynamite people. Mr. Parnell's silence is a proof of his statesmanship, and one of the best evidences he could give of his sagacity. It is none of his business to take Irishmen to task for their ways and means. Let the English look themselves and do their own work. We hope Mr. Parnell will never utter one word to gratify English screechers. To rail at the man upon whom they have heaped abuse for not helping them is the meanest kind of poltroonery. The English Press has for seven years never ceased to pour out its dirty vituperation upon the head of the Irish leader, and now it impudently calls upon him to condemn the dynamitards. Verily Mr. Parnell has his revenge."

I had the misfortune to cross-examine Mr. Parnell on that point, and I asked him whether he had ever said one word against dynamite. He said that he believed he had, and would look for the speech. I asked him the next day whether he could find any such speech, and he said that none could be found. And it came down to this—that, beyond an observation in a speech in this House in February, 1883, delivered in reply to Mr. Forster, and stating that he did not agree with Mr. Patrick Ford, there was not a single word in denunciation of dynamite. I do venture to say that it is idle for hon. Members to ask us to come to the conclusion that the *Irishman* had no purpose or use, and was not directed with certain objects. How do the Commissioners deal with this matter? They find "that Mr. Parnell's object was to address his Fenian supporters through that medium." Therefore the finding is not that in ignorance the paper was allowed to exist, or that it was tolerated, but that it served a distinct and deliberate object. Then there is another very important matter. The right hon. Gentleman the Member for Mid Lothian has suggested that the Land Act of 1881 was brought about by agitation, and my hon. and learned Friend the Member for South Hackney suggested to-night that the object of the responsible leaders was to obtain some Amendment or improvement of the law in the direction of that important charter of the people. But have the Irish Members called the Land Act the great charter of the Irish people? Let us clear away this cant, this absurdity. Why, the Irish Members have denounced the Land Act root and branch. I say that it is an absurdity for Irish Members to get up or lay claim to the credit of that legislation for the improvement of the condition of the Irish people. I must trouble the House with four extracts that are representative—they are each of them taken from different sources. They afford a mass of cumulative testimony that is of great importance to the question. The Land Act was passed in July, 1881, and it received the Royal assent in the following August. On the 15th of October, 1881, there appeared an article in *United Ireland*—the recognised organ of the Land League, a newspaper of which the hon. Member for Cork is one of the proprietors—with regard to this great charter of the Irish people, as though they had been working for it heart and soul. I say that it is a monstrous claim to put forward that by their agitation the Irish Members had led up to the passing of the Land Act. I am not dealing with the morality or the immorality of such a claim; that will be dealt with by others. What I am doing is to point to the view that was taken of the measure at the time by this

organ of the Land League. The article to which I desire to point attention was in the following terms—

"The organisation which he (Mr. Gladstone) strove to crush has received a plenary national commission to see whether that Act can be used as an instrument to destroy landlordism and English rule; if it cannot, to put the Act contemptuously aside and destroy landlordism without it."

Does that article suggest that the ends aimed at should be secured by constitutional means? [*Ironical Home Rule cheers.*] Hon. Members will not put me off my point. The suggestion is now made that the agitation was intended to bring about by Constitutional means that which has undoubtedly been a great boon to the Irish people. What said Mr. Dillon upon this point? Mr. Dillon, in a speech which appears on page 423 of the evidence, said—

"I say better no Land Bill—better for the tenants of Ulster to come into the Land League like men and defend their farms like men, as the men of Tipperary, Mayo, and Galway. Better trust that than go into the Court and submit their cases to the County Court Judge."

What was the way in which farms were defended in Tipperary, Galway, and Mayo? Does that refer to the action of the secret societies, which are put forward as being hostile to the Land League? Is it not perfectly clear from that language that the Irish Members, so far from working in favour of the Land Act, from being anxious to get it passed, and from wanting to improve the condition of the people by Constitutional means, were in reality most anxious to keep the people to the old methods, which the Commissioners have declared to be not only unconstitutional but illegal, and the result of criminal conspiracy? But let us see what the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) says. Here is his testimony which he bore in 1882. Here is his answer to the absurd hypothesis that the agitation had for its object the improvement of the condition of the Irish people by Constitutional means—

"Gladstone's policy was to fix a relation between the landlord and the tenant—the policy of the League was to abolish the relation and trample landlordism beneath its heels. Gladstone's Land Act and the Land League were precisely of opposite principles."

This is the opinion of the hon. Member with regard to that legislation which it is now said, in the vain endeavour to patch up the broken-down case of the Irish Members, that the agitation was intended to bring about. Unfortunately at this time the hon. Member for Cork wrote to his friend Mr. Patrick Ford, and this is what he said in October, 1881—

"The tenants were instructed not to use the rent-fixing clauses of the Land Act, but to keep out of Court and follow the old lines and rely upon old methods. The Executive was empowered to select test cases in order that tenants in surrounding districts may understand the worthlessness of the Land Act."

This, then, is the hon. Member's opinion of the great charter of the Irish people—of this magnificent piece of legislation that never would have been brought about but for the agitation that was carried on for so long. That letter is a singular commentary upon the suggestion of the right hon. Member for Mid Lothian, that he had to thank the hon. Member for Cork for his advice and assistance in carrying the Land Act. The right hon. Gentleman had to do nothing of the kind—he put the hon. Member and his supporters into prison. I am not saying whether the right hon. Gentleman was right or wrong in taking that course; but, for my own part, I have never hesitated to say that to put those men into prison without trial was a monstrously unconstitutional act. But for the right hon. Gentleman and the hon. and learned Member for Hackney to come down and suggest that the credit of passing the Land Act should be given to the Irish Members is—well, I may say that it is an argument that will not commend itself to the judgment of reasonable men in this House. I think that that is strictly Parliamentary language. I am afraid that in my anxiety to do all I could to assist in this debate I have trespassed unduly upon the time of the House; but I desire to ask those who will follow me to note that I have not spoken in very exaggerated language, and have used no violent expressions. I have argued this case remembering, as I wished the

House to remember, the position I have previously filled. I mean that of an advocate; and therefore I have felt it right not to put forward any personal opinions of my own except such as are fully supported by the findings of the Commissioners, and when I could satisfy the House that they were in accordance with those findings. What is the sum and substance of this matter? It is not for me to say what I think of the conduct of the *Times* in connection with the forged letters, which formed the strong point in the hon. and learned Member's speech. In connection with those letters the hon. and learned Gentleman has stated that nothing was done for the purpose of ascertaining their genuineness except to send one expert to examine them. Unfortunately my mouth is closed; but I am entitled to say that it is not right, it is not correct, it is not fair for the hon. and learned Gentleman to say that that is all that was done. I do not think that it would be right—hon. Members may not credit me—for me to state what I know was done—that may or may not come out some day—but it is certainly not correct, and it is not quite just, for the hon. and learned Gentleman to tell us that nothing else was done in the matter, and I did not think that I ought to allow his statement to pass without comment. Passing that by, I come to the charge against the Irish Members that they condoned the action of those who took part in the Phœnix Park murders. I say now, as I said at Oxford, that that charge has wholly failed, and that I rejoice that it has failed. It would be no part of my duty, and wrong of me, to admit that any apology is due from me, having done my duty—imperfectly it may be. I assert that as a Member of this House I am extremely glad that that charge has failed. But the fact that particular Members have been exonerated from that particular charge, although most valuable to them, does not touch, or rather scarcely touches, the great issue between us. We are not dealing in this matter with the hon. Member for Cork alone. We are dealing with Mr. William O'Brien, Mr. Dillon, Mr. Sexton, Mr. Healy, and a number of other gentlemen; and it has been our misfortune to be obliged to allege against them that they have been engaged in a criminal conspiracy, criminal in its objects and criminal in its means; and deeply as I regret that any charge should have been made against them that ought not to have been made, yet I say that it is utterly impossible for the House to shut its eyes to the extreme gravity of the issue which has been found against them upon the evidence laid before the Commission. When the case reached a certain point the hon. Members walked out of Court, giving an excuse that can scarcely be regarded otherwise than as a pretence. I am not here to defend Mr. Houston; but I say that when in the box that much abused individual offered to bring before the Commissioners the whole of the books of the Loyal and Patriotic Union—nay, more, and to allow an independent accountant to look into those books and to pick out any item that could refer directly or indirectly to the letters; and it was because he demanded—a demand which the Commissioners decided was only fair—that the books should not be put at the disposal of a rival political Organisation that the hon. Member for Cork and his Colleagues thought fit to walk out of Court. It is remarkable that their counsel would not go until they had got a written mandate for him to do so from the hon. Member for Cork. And why did they walk out of Court? I say because they found that the more witnesses they called, the more parish priests they called, and the more those witnesses were cross-examined, the clearer did it become that the case of the *Times* was being more and more proved. [*Laughter, and cries of* "Oh!"] Hon. Members may laugh; but I will give one instance which is a striking one. We had just entered on the respondents' case for the County of Mayo. They were just proceeding to call their Mayo witnesses, and they called a priest, who went into the box with the bearing of a lamb. This priest turned out to be the man who had suggested the hot water to be used against the emergency men, and who had marshalled the people to go from one house to another. I leave the House to draw what conclusions they like. Mr. Speaker, we listened to-night to a magnificent peroration from the hon. and learned Member for Hackney. It is no part

of my duty to compete with him in such eloquence, even if I were capable of it. I am here to make a a plain statement. I am here not to justify, but to answer; and I submit to the judgment of the House my reply to the accusations made against me—accusations which I now believe were intended to be made against me as the representative of the *Times*, and not against me personally. I say that unfeignedly, and I believe my hon. and learned Friends who preceded me desired that that should be the view in which their accusations should be regarded. Still, it was necessary for me to answer. And now I leave the matter before the House, pointing out, as I have already said, that matters which have been previously disputed are now established; that accusations not well founded have been blown to the winds; that the action of individual Members previously denied is now shown to be the fact. The net result of the Report ought to be of the greatest importance in determining once and for all what shall be the policy to be addressed to the government of Ireland.

*(9.35.) MR. E. HARRINGTON (Kerry, W.): I claim to address the House as one of those Members who were charged with criminal conspiracy, and I am happy to say that I am included among those held guilty of that conspiracy in the eyes of the learned Judges. Living, as I did, in the midst of scenes of the most acute distress in 1879 and 1880 and in succeeding years, and having all my life witnessed the tyranny and oppression of the landlord class in Ireland, I should have felt it a dishonour had I been excluded from the list of those found guilty of endeavouring to put an end to the vilest phases of landlordism in Ireland. There is a good deal of gloss sought to be put on the findings of the Commission, but as was very happily pointed out from these Benches the other evening in regard to them, all the Judges say against us is that we practised what they call intimidation—which word is equivalent to boycotting—with a view to keeping the poor people of Ireland on the land of their birth. We have been asked in this debate whether we know the responsibility we are incurring in sending people to Coventry, leaving them severely alone, treating them as moral lepers; but if hon. Gentlemen could put themselves in our position and witness, as we have witnessed, the harrowing spectacles of misery brought about by landlord oppression, they would think themselves moral cowards not to act as the Irish Members have done. We shall admit this charge. We feel that the preaching we have entered on is our gospel to the end so long as the Government supports tyranny and exaction in Ireland. Let there be no mistake about that. But what were really the charges on which we were placed on our trial before the Commission Judges? Were they charges of boycotting? It has been with a great deal of boldness founded on wrong information and a wrong estimate of our characters, suggested rather than stated, in this debate that we had sympathy with murder and were assassins, or rather worse than assassins, men who without the time or courage to commit murders themselves had found the time and money to employ other persons to commit them. What have the Commissioners found with regard to that? The Report is a memorial of the prejudice which exists in some quarters against us in the public mind, and I do not object to it being placed on the records of the House as a record for future years of the sentiments by which our opponents are actuated. I care no more for this record than for that on the Monument, which, in the words of one of our great poets, "Like a tall bully lifts its head and lies." This Report will be a standing memorial to future ages of the prejudices of the Party opposite, and we care nothing for it. We care nothing for the opinion of the three respectable gentlemen who were appointed to try us—I mean as to their opinion of our conduct in political matters. As to our general conduct in political matters, we are prepared to leave it to the judgment of our constituencies. If you Gentlemen opposite are content with the estimate formed of your characters by the people of your own country, you are to be envied, but it would seem to some that the certificates tendered you were tendered by very narrow majorities. If you would stand or fall by the verdict of

your countrymen, so will we, and it is their verdict, and theirs alone, that we desire. The first point to which I will, with the permission of the House, refer, is the imputation which seemed to be made on my own character. The accusation has frequently been made against myself and the hon. Member for the Harbour Division of Dublin that we were responsible for all the crime in County Kerry. Well, in my case, only one speech or phrase was alleged against me, and nothing is alleged against the hon. Member for the Harbour Division except that he was present when speeches were deliverd which might be thought an incitement to intimidation. I can place before the Attorney General copies of my own and other papers, and show what I said from day to day, and he will guarantee that I never revised the reports. I can show that I never spoke where there had been disturbance or outrage without discouraging outrage. What do the Commissioners say? Why, they refer to words—it may be in Mr. T. D. Sullivan's paper, the *Nation*—words that may have appeared in two or three newspapers, and use them for the purpose of attacking one of the three newspapers. They bring forward copies of Central News and other telegrams, as if they could be regarded as direct incitements emanating from the editor or proprietor of the newspaper. With regard to myself, they were able to pick out here and there a few resolutions extending over a course of nine years and pointing to individuals, but these resolutions happened to be published in my paper at a time when I had not any immediate cognisance of it. Notwithstanding this fact, the ordinary formula was adopted, and "Mr. E. Harrington" was charged with having said that such and such a man was a land-grabber. I submit that this is a very unfair way of dealing with a matter. A sentence which I thought offensively referred to myself related to the theory which, in cross-examination, I was compelled to adopt about an outrage on a man named Herbert, a process server in County Kerry. I was forced to say, when questioned about that outrage, that I did not believe it was a genuine outrage. I was asked how I could reconcile that statement with the fact that the man had been wounded in the wrist. My explanation was, that the man, going home alone, was frightened by some shadows, and being somewhat under the influence of drink, fumbled with a revolver he had in his pocket — although he did not tell the Commission he had it—and accidently wounded himself. He produced his overcoat, and it was remarkable that although it was literally riddled with bullets all round the waist and in the tail, he himself was not injured anywhere except in the wrist. It was shown that a serious account of the outrage had appeared in my paper, and I was asked whether I ever cast doubt upon the statement before. The Commissioners backed this up with the statement that it was the first time I had said it was an accident. That, Sir, is not so. A year before the Commission was created, I referred in this House to my belief that it was a bogus outrage, and in consequence of the speech I then made payment for the hire of this man's car by the police was stopped altogether. Pretended outrages are very common in Ireland. This man used formerly to travel in a common car, but being placed under police protection he indulged in the luxury of a side car. He continued, however, still to use the common car to get into town and would let out his side car to the police for so much a day. Therefore, the Government, by paying for the hire of the car, were actually encouraging the getting up of bogus outrages. In this connection I may remind the House that a sub-inspector whilst being cross-examined by the hon. and learned Member for South Hackney (Sir C. Russell) produced what was called his outrage-book. The hon. and learned Gentleman had never seen the book before, and yet, in the course of about 12 minutes, he was able to pick out of it 20 outrages, which the Inspector had to admit were bogus outrages. The right hon. Gentleman the leader of the House, in the benevolent platitude he addressed to us at the commencement of the debate, said the Resources of the Government were not more for one side than the other. I do not know whether the Government are tired of Special Commissions, but if not perhaps they will grant us another. There were

some 3,400 threatening letters scattered broadcast through Ireland in the course of two years. I do not think that in five cases the writers of those letters were brought to justice. Our allegation is that the letters were written in order to swell the list of outrages. They counted as well as the murders and other acts of violence, and when it was necessary for political exigencies the number of them ran up in a most astonishing manner, whilst, when it was necessary to show a diminution of crime in Ireland they ran down again in a manner equally astonishing. The hon. and learned Attorney General said he had been most unfairly attacked, and that he did not know why he should be picked out from his colleagues as all the counsel in the case were linked together. Let me remind him of an incident which occurred during my cross-examination before the Commission. Mr. Murphy asked me whether we had made any effort to bring people to justice. I replied that we had made as much effort as it was safe for us to do. He asked for cases and I gave him some cases. I also mentioned a case of a woman in County Kerry being charged with cutting off the ear of a donkey. Two witnessess deposed to all the circumstances; but the land agent swore that during the three previous years of the agitation she had paid her rent very well, and he suggested that the offence should be treated on a less serious count so that she could be let off with a fine. I myself was in the Court. The Judge appealed to counsel. Counsel representing the Crown—representing law and order, and the instincts of British justice—assented to the infliction of a fine upon this woman. Having related this incident, I asked Mr. Murphy—"Do you want to know who was the counsel for the Crown? It was Mr. Ronan who sits beside you." Well, Sir, if the Attorney General does not want us to disassociate him from those with whom he acted before the Commission, is he willing to share with Mr. Ronan the disgrace of that transaction? Within the last three weeks, Sir, there has been a case in which the notorious magistrates who committed me to six months' hard labour for having merely published an account of a branch meeting of the League, let off a man who had three times stabbed another with the intention of taking his life. Now, Sir, what sort of a record have we in this Report? I do not want to say anything unseemly, and I believe the etiquette of the House requires that we shall not make personal attacks upon those who conducted the inquiry, but I say that these Judges were utterly unfit to try a case of the kind. Two or three hours before the Report of the Commission came out I heard it stated in the Lobby by a newspaper man that the Report contained the titbits of the speeches. Is not that lovely? Speeches 8, 10, and 11 years old. Some of them delivered by ignorant men in the height of passion? These are to go on the Journals of the House, and they include the utterances of a poor obscure shoemaker, named Gordon, in County Mayo, and the man known as Scrab Nally. Scrab Nally is only remembered now in Ireland for a bull he once perpetrated when trying to palliate the fact that he was the son of a grand juror. He said, "Many a good son reared a bad father." The Attorney General seemed to desire to cast ridicule upon the notion that this agitation forced the Land Acts through Parliament. Does anyone on that side of the House deny it? If they do, I would ask them to give us some other cause for the passing of the Land Acts. Was it they who gave us the Land Act of 1881, and did they willingly give us any one of the subsequent acts? Perhaps in the great speech delivered to-night by the hon. and learned Member for Hackney (Sir C. Russell), and which in itself would almost compensate us for the protracted annoyance we have suffered in this discussion, there was no more telling passage than that in which he described the so-called "landlord garrison" in Ireland capitulating for a pecuniary consideration. An alleged letter from Mr. Parnell to the *Irish World* has been referred to. Well our advice to the farmers was not to rush into court, but to select test cases to put before the Court; and, if the Court did them justice, to loyally accept the Land Act. I should not like to say the alleged letter from Mr. Parnell is genuine before I have seen the context, but if it be genuine it was fully justified by the facts. It is

quite consistent to say that the Act was worthless in many particulars, and at the same time to recognise that it was the first great charter of the rights of the tenantry of Ireland. Any hon. Member who looks dispassionately through this Report will observe that, whilst there are many of the tit-bits to which I have referred, there are no selections from the strong and earnest denunciations of crime and outrage that were uttered by us through Ireland. There was not a speech read before that Commission in which in almost every line there was not a strong denunciation of outrage. I happen to be the editor and proprietor of an insignificant, but, I am glad to say, owing to the action of the *Times*, a by no means obscure paper known as the *Kerry Sentinel*. Well, I have seen policemen in uniform taking down the files of my paper and poring over page after page to see what accusation they could bring against me. I produced from the paper a consecutive condemnation of crime and outrage for the use of the Government. I extracted it from the paper during the leisure of my stay in Tullamore Gaol. I brought it before the Commission and I am sure the hon. and learned Gentleman to whom I have referred will not be ashamed to say that one of the condemnations it contained was worded in such a way that it almost moved him to tears. Well, Sir, not a line of these denunciations is set forth in this Report. I do not wish to be egotistical, or to inflict myself too much upon the House, but of course every man can speak best on his own case, and my case is merely an example of the others. There is one fact which vitiates the whole inquiry, and that is that upon the statement of the Judges themselves the inquiry was one-sided. You selected tit-bits for inquiry, and did not represent to the public the strong and dominant fact in the history of those times, which was that men like those composing the bulk of the Nationalist Party, who saw hundreds, nay, thousands, of their countrymen and countrywomen and their children evicted from their homes under cruel and heartrending circumstances, nevertheless had the manliness and the prudence to condemn violence and to restrain the passions of their people where an outburst would be almost like the wreaking of just vengeance on their persecutors. Let the Attorney General put himself for a moment in the position of one man whose case was cited by the hon. and learned Gentleman the Member for Dumfries (Mr. R. T. Reid). Let him think of the poor struggling farmer, the father of the three or four little children down with scarletina. This man's scanty furniture was thrown out on the road side, together with his dying children—aye, and they did die. Let him put himself in the case of John McMahon, whose daughter was thrown out of the house and died within two hours of being removed from her father's dwelling. And the hon. and learned Gentleman says he re-echos the expression of the hon. and learned Member for South Hackney: "Let us clear our mind from cant." Let us do so, and I avow from my place in this House that I would feel more ashamed if I had not been included in the conspiracy of which we have been found guilty than I am occupying, as I do, the proud position of being numbered amongst my Colleagues.

(10.25.) COLONEL SAUNDERSON (Armagh, Mid): Sir, I do not think I require to make any excuse to the House for occupying its time for a little on a matter which I think especially interests Ireland. I am an Irishman—[*ironical cheers*]—and, what is more, I am proud of being an Irishman. [A VOICE: "Nobody suspects it."] My ancestors lived in Ireland for 300 years; I have always lived there, and intend to live there; but if I do succeed in living there it will be no thanks to hon. Gentlemen below the Gangway opposite. With regard to the speech of the hon. Member (Mr. E. Harrington), I shall say very little. He asked hon. Members to place themselves in the position of persons mentioned in the Report—such a person, for example, as Edward Herbert, referred to on page 49, who was held up to execration by the *Kerry Sentinel*, and who was attacked on his way home from the County Court Sessions at Tralee by three or four men, who fired at him, riddling his coat with bullets, causing him to be confined in

the infirmary for about six weeks. The hon. Member in his evidence before the Commission suggested that Herbert had probably shot himself.

*Mr. E. HARRINGTON: Accidentally; and that also was in my evidence before the Commission.

*Colonel SAUNDERSON: I know the hon. Member does not deny any of his statements. I have often heard it alleged that some Irish people have a habit of shooting other people; but I never heard it suggested before that Irishmen have the peculiarity of shooting themselves. Now, Sir, this debate commenced to-night with a great duel between two great lawyers. I listened with great pleasure and interest to the eloquent speech of my distinguished countryman, the Member for South Hackney, and I am glad to find that his residence on this side of St. George's Channel has not impaired the vigour of his Irish imagination. But I think the House will have noticed that my hon. and learned Friend dealt very lightly with some parts of the Report of the Commissioners. No part of the hon. and learned Gentleman's speech attracted my admiration more than the way he skated over thin ice. In fact, from the commencement of his speech, I could see that the hon. and learned Gentleman was dying to be after Pigott. If I were a Member of the Party below the Gangway opposite, I should start a subscription to erect a monument to Pigott. No one has been of such immense value to hon. Gentlemen opposite. I admit that frankly. I give them a present of Pigott. I am quite willing to admit that in all that concerns Pigott hon. Members opposite have an immensely strong case. There is nothing connected with this great inquiry that has struck me with more amazement and sorrow than the recklessness with which the evidence of that man was accepted by the *Times*. From the moment I heard that Pigott was the authority for the forged letters, I said that so far as the letters were concerned they might be burned, for nobody who knew anything about Pigott would hang a dog on his evidence. I think hon. Gentlemen will admit I am fair on that point. Well, the hon. and learned Gentleman defended the Party with which he is connected. He said that the House ought not to agree with the proposal of the First Lord of the Treasury, and ought not to accept the decisions of the Judges, because the Judges were limited in the scope of their inquiry and could not go far enough back in the records of Irish history to decide whether there might not have been some other cause which conduced to the production of the condition of affairs in Ireland besides the organisation of the Land League and the National League. The hon. and learned Gentleman forgot that his own trusted leader and the right hon. Member for Derby, when they were Ministers in 1880-1, were thoroughly cognizant of the condition of Ireland, that the ambit of their inquiries was not limited, and that they had uttered words of condemnation with regard to the organisation to which hon. Members below the Gangway belong stronger than anything contained in this Report. Therefore all I can say is this, that I regret extremely that the ambit of inquiry of this Commission was limited, for I firmly believe that if they had been allowed to go further back they would have made a much stronger Report. Now, I wish to say a word about the Report. We have had the opinions of great lawyers in this House and have listened to them with great attention and admiration; but as an Irishman I have a better claim to speak on a subject which intimately concerns the welfare, prosperity, and future happiness of my country. This has been called a sham debate. It is no sham debate. Since that debate on the Home Rule Bill of the right hon. Member for Mid Lothian, I do not think this House has ever entered upon a debate concerning Ireland of such vast and wide-reaching importance. This is a debate which not only concerns the personal character of several hon. Gentlemen below the Gangway, but it is a debate upon which hangs the character of a Party into whose hands it is the policy of the Opposition to commit the destinies of my country. Now, I wish to point out what I believe to be the principal points, the principal facts concerning the situation now revealed to the House on unimpeachable evidence. What are the principal points which this Report reveals to us? We have over and over

again made these allegations. The right hon. Member for Mid Lothian has made them. They have been made by nearly all his Co leagues. But isolated debates in this House could never have the effect which this Report has had in focussing the attention of the public, the country, and the Empire upon the true condition of this great question which affects the destinies of Ireland. But before I proceed further, I wish to be allowed to say that in dealing with this Report I divide it into two main portions; first of all, the personal allegations against the hon. Member for Cork, who is a Member of this House, and against Mr. Davitt, who is not. So far as the personal allegations connected with the letters are concerned, the hon. Member for Cork is absolutely acquitted. I have heard it said during this debate that it has been the habit of hon. Members on this side to make use of those letters in their speeches. There are few Members of this House who have spoken more often on this subject than I have, and I have never mentioned those letters, and I never heard a gentleman of this side mention them. [*Cries of* "Oh, oh!"] Some may cry "Oh," but I can say that never have I personally heard or read in the papers of any Members on this side who have made use of the forged letters. So far as the forged letters are concerned, and all accusations founded upon them, not only the hon. Member for Cork, but all those Members who might have been implicated, had those letters been proved to be true, are absolutely cleared of guilt. That, as far as I can see, is the opinion of both sides of the House. The other division which I make is as to the allegations which have been put forward and which have, moreover, been sustained, against the Organisation to which a considerable number of Members below the Gangway are mentioned by name as belonging. It has been proved to demonstration that the policy of the Nationalist Party is a twofold, a dual policy. The policy of the Nationalist Party presented to this House is a Constitutional policy, carried on by Constitutional means—carried on as any other policy would be carried on. Hon. Members opposite are of opinion, and expressed the opinion in this House, that it would be a good thing for Ireland to have a separate Parliament. That is the Constitutional line they have taken. But there is another policy which goes hand in hand with their Constitutional policy; it is not a Constitutional policy; it is a policy of treason. I may be allowed to explain what I mean by treason. I take as an instance the hon. Member for one of the Divisions of Tipperary (Mr. J. O'Connor) who spoke in the House the other night. I take that hon. Gentleman as a perfectly honest, square, and fair opponent. He is not ashamed at all of expressing in this House what his real opinions are; he has acknowledged that he is a Fenian. But a Fenian in the eye of the State is a traitor, and therefore in the eye of the law a criminal. But I ask to be allowed at once to differentiate between such a criminal as that and an ordinary criminal. A traitor is, no doubt, a criminal in the eye of the law of the land against which he conspires, but he may not be a moral criminal. If his treason is a treason against a Government which ought to be destroyed, I look upon that man not as a traitor but a patriot. I am sure hon. Gentlemen opposite will not disagree with that doctrine. Is there anybody on either side of the House who will deny that if to-morrow there is in Russia a rising against that detestable Government, which, if reports are true, flogs women to death, and shoots down defenceless men, the man who rises against it, though he be a criminal in the eye of the Russian law, in the eye of the world at large would be a Russian patriot? A rebel, if successful against a bad Government, becomes a patriot, and possibly may become a President. If he fails he is hanged. It all depends upon success. I make this statement, because I do not wish hon. Gentlemen to think, if I use the word criminal as applied to traitors in the eye of the law, that for a moment I associate these criminals with ordinary criminals. Now having cleared the way so far, having appealed to the patriotic instincts of hon. Gentlemen which in this House take a Constitutional form, but do not take so Constitutional a form in other places, I wish to point out how in this Report that dual policy is clearly proved. How did this Organisation start? It was not

devised, nor was it originated by the hon. Member for Cork. The hon. Member for Cork is the leader of the Party opposite, and more or less represents the figure-head of the Party. He is not the executive of the Party. The executive of the Party below the Gangway is represented by Mr. Davitt, the hon. Member for Mayo, and the hon. Member for North-East Cork. They are the principal representatives of the executive of the National Party. The hon. Member for West Belfast took at one time a prominent part in it; but his civic honours have rather interfered with his activity in that way. Mr. Davitt went over to America, and he met there Mr. Devoy, and between them they devised a movement which would have the effect of uniting a Constitutional movement on one side with a revolutionary movement on the other—the revolutionary movement to supply the dollars, the Constitutional movement to supply the garb in which the revolutionary movement was to appear in the House of Commons and gain votes. I give the hon. Member for Cork the credit that he has acted as a political tailor; he has cut out, fashioned, and sewn together the Parliamentary dress in which the revolutionary movement can appear without danger on this side of the Atlantic. When the hon. Member went out to America and met Davitt and Devoy, there was wanted what is always wanted in such cases, money. The money to start the Land League in Ireland was furnished by what is called the "Skirmishing Fund" that is collected for the amiable purpose of blowing up English towns and injuring England wherever she can be hit. The hon. Member for Cork when he went over to America did not adopt that Constitutional method which he adopts here. His friends on the other side of the Atlantic differed altogether from the friends he employs on English platforms and in the House of Commons. The hon. Member for Cork when he was in America made a speech in which he said—

"They are a defenceless people in Ireland. The right to carry arms is denied, and that birthright of every freeman is punished in Ireland with imprisonment for two years. A large body of constabulary is employed with 30,000 soldiers, and the time may come when Ireland will have a chance. When she (England) is at war and beaten to her knees, the idea of the Irish Nationalists may be realised."

That is the prospective hope of the National Party. The Land League was an organisation with the ostensible object of assisting Irish tenants and resisting unfair rents; but what did the organisers of the Land League say in America? Devoy stated that the object of destroying the Irish landlords was to destroy the authority of England. The hon. Member for Cork said—

"I feel very confident that the day is very near at hand when we shall have struck the first vital blow at the land system as it now exists in Ireland, when we shall have taken the first step to obtain for Ireland that right to nationhood for which she has struggled so long and so well."

Mr. Davitt, a still greater authority on the policy of the Land League, said that in order to oust the British authority from Ireland it was necessary to destroy the landlords. The hon. Member for North Longford said that the chief prop of British rule in Ireland was the landlords. "We seek to take the prop away." Therefore, the hon. Member for Cork and his friends are able to show to the revolutionists and foreign enemies of Great Britain that their land movement in Ireland is not, as it has been described, a movement to protect defenceless tenants against the rapacity of their landlords, but to destroy the Irish landlords and so to remove the chief obstacle to the destruction of British authority. Irish Members, when they go to English and Scotch elections, do not say one word about "the desire which burned in the hearts of the Irish people to destroy the alien rule." No, they talk about the union of hearts, and their desire to assist the downtrodden peasantry against rapacious landlords. Now, let us consider what is the meaning of the argument hon. and right hon. Gentlemen opposite use in defending the Land League movement. What was the character of the argument in that wonderfully eloquent speech of the right hon. Gentleman the Member for Mid Lothian, a speech which was admired on both sides? I refer also to the speech of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler). The right hon. Gentleman the Member for Mid Lothian

defended the Land League movement by saying that in interfering with it the Government had tried to strike at and destroy the only hope of the Irish tenants in resisting the rapacity of the landlords. But is that the ground on which the Land League movement was originated? The hon. Member for Cork cuts the ground from the ex-Premier's argument by a speech delivered at Brooklyn on January 24, 1880, in which he said, "Up to the present time there have been no evictions." So evictions could not have caused the movement, and the year 1880 turned out to be an exceptionally good year. There was an abundant harvest. Therefore the Land Bill of 1881, brought in as a final and generous settlement of the Land Question, had a fair chance of success. It followed a year in which the hon. Member for Cork told his American friends there had been no evictions; it followed a year in which there had been the best harvest known for many years in Ireland. What ought to have been the result of the Land Act of 1881? It would have been imagined that, at any rate, when the right hon. Gentleman and his Colleagues brought in this Bill which conferred on the Irish tenants benefits which no other tenants in any other part of the world have received—[*Cries of* "No!"]—I challenge contradiction on this point. I should like to hear any hon. Member, no matter what his ingenuity or range of historical search, point out any other country where tenants have received such immense concessions as were granted by the Land Act of 1881. I know hon. Members are ready enough with statements on public platforms, but let them make them here where they can be answered. It might have been imagined I was saying that the result of the passing of the Act would have been an improved condition of things all over Ireland. If, as the Radical Party say, the object of the League was to defend the tenants, it might have been thought that the Land League would slacken their efforts after the acceptance of the Bill by Parliament. But there was an increase of crime. After a year of no evictions and after a very good harvest and this great legislative concession, there was an increase of crime; and, therefore, there must have been some cause for it other than agricultural failure or the tyranny of the landlords. The most serious count in the indictment of the party of the National League—I will say "The League," for I regard the National League, the Land League, and the Ladies' League as practically one—is that, far from relaxing its efforts, it increased its efforts. Crime in Ireland was not, as hon. Members opposite were pleased to say, a manifestation of the "wild justice of revenge." It was simply the means by which the League established its power and authority over a defenceless population. From 1885 to 1888 there were 95 agrarian murders in Ireland and 141 attempted murders. If these had been committed for revenge, the tyrannical landlords would have been the ones to suffer. But, as a matter of fact, the record of these bloodstains which besmirch the history of the League shows that the crimes were directed almost invariably against poor, weak, and miserable tenants and labourers in the West and South of Ireland—men who had the manliness and courage to defy the authority of this criminal organisation. I have never accused hon. Members opposite of directly inciting to crime. They are far too wise for that. In the speeches contained in the Report it will be found that after strong denunciations, which every Irishman thoroughly understands, there is always a qualifying phrase which would save them in a Court of Justice.

MR. SEXTON: Is the hon. and gallant Gentleman in order in accusing other hon. Members of deliberately putting into their speeches qualifications to save themselves from legal consequences?

*MR. SPEAKER: I think it is extremely desirable in this debate that a judicial tone should be preserved as far as possible; and I must say for the hon. Gentleman to say that other hon. Gentlemen are too wise to avoid putting into their speeches what would save them from legal consequence is a suggestion very provocative, and I do not think it is in any way conducive to the judicial character of the debate.

COLONEL SAUNDERSON: If I have gone outside the bounds of Parliamen-

tary usage I regret it. But I justify myself by the finding of the Judges. On page 92 they say—

"We find that some of the respondents, and in particular Mr. Davitt, did express *bonâ fide* disapproval of crime and outrage, but that the respondents did not denounce the system of intimidation which led to crime and outrage, but persisted in it with the knowledge of its effect."

"Persisted in it with the knowledge of its effect!" Perhaps the House will allow me to give an illustration of what I mean. On page 41 of the Report will be found a speech by the hon. Member for East Mayo (Mr. Dillon), in which he made use of these words—

"The man who goes back on their organization, who goes behind backs and pays while he stands pledged to his neighbours to stand by them, you must treat him as what he is; that is to say, a traitor to his people and to his country. You must make an outlaw of him and let no honest man speak to him."

In another speech he said these men were traitors, and "you must have no mercy on them." It may be said the hon. Member did not mean anything by these phrases; but I want to tell the House how they were understood and acted upon. Turn to page 79, and you will find that words like these, which went like wildfire round Ireland, had effect in all parts of the South and West. Pages 78 and 79 contain a record of blood. [*laughter*]. Hon. Members opposite may laugh, but no laughter in the House of Commons can wipe that blood away. We have here the record of how traitors—as the hon. Member for East Mayo called them—were treated. I do not wish to read many passages, but I say that the record is enough to make one's blood boil. James Connor, who in May, 1881, became tenant of some bog land, was warned as a land-grabber, and was shot dead when driving to his father's funeral. No mercy for traitors! Take the case of Dempsey. This unfortunate man had disobeyed the Land League, and was murdered when going to mass with his children. He was murdered at 11 o'clock in the morning, and yet no evidence could be obtained against his murderers, although many other persons were going to Church. No mercy! I say, Sir, we will have no mercy on these murderers! These things cannot be got rid of by saying that Pigott was a forger; all the forensic eloquence of the hon. and learned Gentleman opposite will not obliterate the record of crime which has been at last found by a judicial body against an organisation which has been the disgrace of our time, and which has, I believe, disgraced in the eyes of the world the good name and the good fame of Ireland. It is said that the hon. Member for Cork and his friends ought not to be blamed for the words and deeds of subordinates. But that I deny, for it must be remembered they were absolutely autocratic, and they could have closed any branch of the League. Why did not they take steps to condemn the action of the League in the North and West when they must have known it was leading to crime and dastardly outrage? Nothing gave me more pain in this long-continued agitation than the injuries which have been inflicted on dumb beasts. I do not say that any hon. Member ever advised that cattle should be killed or maimed, but there is what I would call, as distinct from direct excitement, the giving of a broad hint. The hon. Member for East Mayo went to Kildare to further the organisation of the League, and he said—

"We have many a farm lying idle, from which no rent can be drawn, and there they shall lie; and if the landlord shall put cattle on them, the cattle won't prosper very much."

What does that mean but this—that in some way or other the cattle of men who dared to confront this organisation were to be maimed, mutilated, or destroyed? I do not suggest that the hon. Member said this: I cannot say what the Member for Mayo even thought, but I know what Irish people thought and how they acted. If hon. Members read the Report they will find that, acting on advice, at any rate, such as this, cattle were put to torture, and in one case destroyed by hay forks, which were thrust into them, the ends of the forks being broken off and left in their bodies. The poor things were found the next morning wandering about in a dying condition. The perpetrators of these deeds deserved all the reprobation they could receive,

and I contend that a thousand-fold more reprobation hangs upon the heads of the men who advised in that direction. I will now refer to the speech of the Member for Mid Lothian whom I believe to be perfectly conscientious in this matter. In the right hon. Gentleman's opinion all the disasters, woe, and misery in Ireland are the result not of this political organisation, but of the rack-renting and exterminating policy of the landlords. I heard with a sigh of regret the statement which he made. The right hon. Gentleman said—and the House will remember the tone in which he said it—

"I did state on a former occasion that I believed that the Irish landlords had come well out of the crucial examination to which they were subjected. I founded that statement on the Report of Lord Bessborough's Commission.',

Then he looked lovingly on the hon. Members below the Gangway and added—

"Now I recant that opinion. I no longer believe it, and my opinion was changed after the passing of the Bill of 1881 and the great reductions made by the Commissions appointed under that Bill,"

and the right hon. Gentleman said that those reductions clearly showed that the landlord had been exacting impossible rents. I wonder when the right hon. Gentleman came to that conclusion. The right hon. Gentleman has had some experience of the working of his own Land Bill, which was supported by the right hon. Gentleman the Member for Derby, who is foremost now in calling down all the hatred and loathing of mankind upon the Irish landlords for asking for the rents which he himself helped to fix. In the year 1885 the right hon. Gentleman the Member for Mid Lothian made a speech with regard to the condition of Ireland. After having had some experience of the result of the working of his own Land Bill he said the Irish Question was now assuming a new position. He said it was not now, as in former times, a question of the cruel grievances which Ireland had laboured under, for, thanks to the patience and zeal and good sense of Parliament, those grievances had one by one been removed. I should very much like to know when the right hon. Gentleman became persuaded that the Irish landlords were the chief causes of Irish trouble; and that they were extorting unjust rents. Did he ever look into the figures? They are very remarkable. He will find that in the year 1882, the average reductions of Irish rents were 20·5 per cent., whereas the fall in the prices of agricultural produce was between 25 and 30 per cent.; in 1883, the reductions of rent were 19·5 per cent.; in 1884, 18·7 per cent.; in 1885, 18·1 per cent.; and in 1886, 24·1 per cent. If the Irish landlords are to be condemned, surely, the English landlords equally deserve condemnation, for I find that in the East of England they had to reduce rents 30, 40, and even 60 per cent., so that, apparently, they, too, had been demanding extortionate rents in good years. It is very hard indeed to gather what is the opinion of right hon. Gentlemen opposite. I am glad to see the right hon. Gentleman the Member for Derby in his place. The right hon. Gentleman made a speech at Bath the other day—a speech on the subject of this Commission. He devoted most of his time to the savoury question of Pigott. He went on to show to what distance he has already got. As far as I can make out, there is no distance to which the right hon. Gentleman will not be ready to go. It appears to me that the right hon. Gentleman's jealousy is excited by the progress made in this House by the Member for Mid. Derbyshire, who is the shepherd of the advanced section of his Party. They appear to be running a race in the direction of Radical measures, and the difficulty is to know which will become blown first. The right hon. Member for Derby said—and I mention this as an indication of the immense advance the right hon. Gentleman has made so far as the objects of the combination called criminal conspiracy are concerned—that he entirely agrees with them. What a change in four and a half short years! Four and a half years ago, the right hon. Gentleman was the man who, of all others, had a horror of those conspiracies. I took the trouble to ascertain from sources that are absolutely accurate, and that can be tested, that it cost the ratepayers of this country £10,000 a year to supply police protection for the right hon. Gentleman, so that if any hon. Member

of a mathematical turn of mind chooses to make a calculation he can ascertain how much per square inch of superficies the right hon Gentleman has cost the country. At present, the right hon. Gentleman requires no police protection at the cost of the taxpayers. His body-guard is now furnished by the Nationalists and is paid for by Patrick Ford. I now come to the last point on which I desire to address the House—it is the connection which is established in the Report between the Nationalists and the enemies of this country on the other side of the Atlantic. The hon. and learned Member for Hackney has spoken to-night of Patrick Ford, but when he got on that topic he walked like Agag, very delicately. I forget the exact phrase used by the hon. and learned Member, but he implied that Patrick Ford was at one time a gentleman who had very wild views and expressed very strong opinions, but that since he had become the neck of the bottle, or the conduit pipe, I believe was the expression, through which the money filtered which supplied hon. Members below the Gangway with the means of carrying on the war, Mr. Patrick Ford has mended his ways. This opinion with regard to Patrick Ford has always been a sore point with hon. Members opposite. I remember that in a debate a few years ago I was proceeding to point this out to the House of Commons—that it was a very curious thing that there was in this House a body of hon Members who were subsidised by the enemies of England on the other side of the Atlantic. Great exception was taken to the point, and the hon. Member for North Longford made a speech immediately afterwards in which he said that so far from Patrick Ford being a friend of the National League he had for many years been one of their greatest enemies. I was astonished, I must confess, to hear this, but Mr. Davitt directly afterwards brought the hon. Member for North Longford to his bearings. Mr. Davitt wrote a letter to the *Freeman's Journal* in which he said—

"I cannot conceive how Mr. Healy can have made such a statement in the House of Commons, for to my certain knowledge three-feurths of the money that has come from America to the Land League has come through Patrick Ford."

Colonel Saunderson

My hon. and learned Friend opposite will find, if he will refer to page 64 of the Report, that Patrick Ford has been, since he has supplied Nationalists with money, a gentleman of the most vigorous political intention; that his intentions contemplated making war on England with dynamite. I do not wish to trouble the House with another extract; every Member can read it for himself. But at the end of 1883, when Patrick Ford was the conduit pipe for the National League——

MR. T. HARRINGTON: I am sure the hon. and gallant Member does not wish to misstate anything in the Report. No evidence whatever was brought before the Commission, and there is nothing at all in the Report to justify the statement that the National League received a penny from Patrick Ford, and it never did.

COLONEL SAUNDERSON: I do not know if hon. Members object to the term National League

MR. T. HARRINGTON: I am speaking of the National League Organisation of which I was in charge for eight years.

COLONEL SAUNDERSON: I have the authority of Mr. Davitt for what I have said. Mr. Davitt is a political foe; he is very outspoken and very courageous, but if he made a distinct statement to me, as in this case, I should certainly believe him. Mr. Davitt said, in the letter I have quoted, that the Land League received three-fourths of its money through the instrumentality of Patrick Ford, and he has since stated that the National League and the Land League were the same. I know the distinction drawn by hon. Members below the Gangway opposite between the National League and the Land League on this point, but is not this very much like quibbling? The National League was in truth simply an *alias* of the Land League. Perhaps I should have done better if I had said the League, for then I should have included all three Leagues

—the Land League, the National League, and the Ladies' League. They were all practically the same organisation, having the same objects, the same purposes, and the same ends in view. I will therefore venture to point out to the House what Mr. Patrick Ford said at the end of 1883. It is to be found on page 64 of the Report, and the fund spoken of is the Emergency Fund which took the place of the Skirmishing Fund.

"The object of this fund will be to aid the active forces on the other side in carrying on the war against the enemy. It is unnecessary to enter into details. I can only say in a general way what I believe myself. I believe in making reprisals—'an eye for an eye and a tooth for a tooth.' I believe that every informer ought to die the death of a dog. I believe that all the material damage possible ought to be inflicted on the enemy, and the war against the foeman ought to be persisted in without quarter to the end. I believe that England ought to be plagued with all the plagues of Egypt—that she ought to be scourged by day and terrorised by night. I believe that this species of warfare ought to be kept up until England, hurt as well as scared, falls paralysed upon her knees."

That is the position of England in which the hon. Member for Cork said that they might ultimately hope to attain their end. There is one other point to which I wish to call the attention of the House before I sit down. We are told in those eloquent speeches which have been made that there is now a great change; that we have now a union of hearts; that Ireland has given up those extreme means which she has held in past days. How are we to know that? The hon. Member for Cork has said so. But the difficulty is to know when the hon. Member for Cork absolutely means what he says. I think that it must have struck the House in reading the Report that over and over again—four times—the Judges disbelieved statements made by the hon. Member for Cork and accepted exactly the reverse, They disbelieved him in the matter of the interview with Le Caron; they disbelieved him in the statement with regard to the "last link" speech, and on two other occasions they disbelieved his statement and accepted exactly the opposite. Why was this? If the House will look at the official Report they will very easily see. In that Report we have the hon. Member for Cork making a most extraordinary statement. It was with regard to a statement he had made to the House with regard to secret societies. He was asked:—

"Do you remember using these words?—Yes; I recollect it personally.

Did you believe them to be true when you said them?—I cannot exactly say without reading the context of the speech what my view was in urging that argument; but it is possible I was endeavouring to mislead the House on the occasion.

Do you mean it is possible you were endeavouring to mislead the House on that occasion?—In order to cut the ground from under the argument of the Government in support of the Bill."

That was to say, cut the ground from under the feet of the right hon. Gentleman the Member for Derby and his friends. Then it went on:—

"Do you mean, Sir, by a statement false in fact and contrary to your own opinion which you have sworn to to-day?—I mean that it was a boastful and an exaggerated statement, and probably designed to mislead the House upon the question of the greater or less existence of secret societies in Ireland.

Mr. Parnell, you have used the words 'mislead the House.' Have you ever, directly or indirectly, until this moment withdrawn that statement?—I should think that I have never thought of the statement from the time I used it until now, or ever had it brought under my notice.

Did you or did you not intend to misstate the fact when you made that statement to the House?—It is very possible that I did.

Deliberately?—Deliberately; quite possible."

Now, if the House will take the trouble to read the Report they will see that the Judges accepted the statement that the hon. Member for Cork made in the House and disbelieved the statement he made on oath before the Commission. I will leave those two horns of the dilemma at the service of the hon. Member, on which to hang his veracity. What is the ground on which right hon. Gentlemen opposite believe that this great change has taken place, that the goal of Irish nationality, in which the extreme party across the Atlantic still believe, has been absolutely abandoned by the hon. Member for Cork, and that he has adopted a new system? I think that the statement I have read out of this Report must, or at all events ought to, lead any hon. Member of this House to receive with a very considerable amount of reservation any statement which the hon. Member for Cork may

make in the future. For my own part, I say now, and have always said, that the important part of this Report is not that relating to the forgeries, which deal with personal allegations which no doubt are of deep importance to the hon Member who is attacked and the Party of which he is the head. A personal allegation is transitory in character and effect. The hon. Member for Cork is mortal; he might disappear, but his Party remain; and I venture to maintain that all the grounds of allegations against that Party, against their methods, their objects, their aims, and the goal they seek to attain have been absolutely proved in the Report now submitted to the House. I venture to ask the House whether the Report does not amply justify the attitude which the Irish minority has assumed with regard to this policy? The hon. and learned Member for Hackney has stated that behind the hon. Member for Cork is the nation; behind myself is the Irish minority, a minority which the hon. and learned Member's own friend and colleague. the right hon. Member for Bridgeton, has called "that other Ireland" which owes no allegiance, and never will, to the hon. Member for Cork. That Report justifies the determination which we have openly expressed, for no man with one particle of courage or self-respect, be he high or be he low, will consent, if he can avoid it, to submit himself to the authority of such an organisation as that which is branded with infamy in this Report. Hon. Members opposite have challenged the Government to impeach them or to prosecute them at law. I quite admit that it is outside the possibility of Her Majesty's Government. I admit that hon. Members opposite have managed to keep themselves outside the law. We cannot arraign them before a jury of their fellow countrymen, but they can be arraigned before the opinion of the British Empire. ["St. Pancras."] The hon. Member opposite refers to the result of the St. Pancras election. No one can regret the result of that election more than I do, but that election has taught us that the revulsion of feeling in public opinion which has been pointed to by the right hon. Member for Mid Lothian is, at all events, only a comparatively small one. The majority altogether only comes to 79, which will not be likely to shake the foundations on which the Unionist Government stand. When this Report is known and studied, as it will be known and studied, and more than a mere partial view of the summary at its end is taken, it will be driven home, as it should be driven home, to the minds of all that the organisation and the policy represented by hon. Members opposite below the Gangway and their friends above the Gangway must be universally condemned by all right-thinking men.

*(11.40.) MR. JUSTIN MCCARTHY (Londonderry): I have listened with a great deal of attention to the very long, very vehement, and rather discursive speech of the hon. and gallant Member who has just sat down, and I find that there are only two declarations in that speech with which I can agree. The first is the declaration of the hon. and gallant Member that he represents the minority in Ireland. It is a very small minority even in that Ulster which the hon. Gentleman has boasted he represents in this House. I agree with him when he says that he and his friends arraign us before the public opinion of the British Empire. No doubt they can do that, and they have done so already, but how have they succeeded? The answer has been given by the constituencies of the British Empire at the late bye elections to this arraignment. The late bye election at North St. Pancras practically turned upon the question whether the Irish Members and their Party were, or were not, deserving of condemnation. And what was the result? Why, the victory passed into the hands of the Liberal Party, who support the Irish Members. They talk of arraigning us before the British Empire, but I wonder what is it that hinders them from arraigning us before the House itself. If we are open to the charges made by hon. Members opposite what is it that prevents them from moving our expulsion? If these are the opinions of those hon. Gentlemen why have they not the courage of them? Why do they refrain from moving our expulsion, so that we may go back to our constituen-

cies and see what they have to say about it? I do not, however, propose to analyse to any great length the speech of the hon. and gallant Member. Time will not permit me to do so. I think, however, he has made an artistic mistake in deserting his familiar paths of humorous denunciation in order to appear severe and philosophic. One sentence of his was indeed generous, but we cannot accept his generosity. He offered to make us a valuable present, for he offered to bequeath to us all that is left of the late lamented Pigott. He (Colonel Saunderson) and his leaders made all the use they could of Pigott while he lived, and squeezed the sponge until it was very dry. We now decline to accept, at his hands even, in the form of a peace offering, any memorial of the dead Pigott. And now I want to call the attention of the House back to the question from which, as it seems to me, we have lately been somewhat wandering, namely, the Report of the Commission and how that Report is to be dealt with. I will pass, therefore, from the statements of the hon. and gallant Gentleman, delivered as they were with all that Captain Bobadil, or Bombastes Furioso, fire and energy which are so characteristic of the speeches he delivers in this House. We have discussed all these topics years and years ago in this House, and I think that hardly a single statement was made by the gallant Colonel that was not in the nature of what in American phraseology is termed "an old chestnut." I should like, with the permission of the House, in the short time left at my disposal, to make one or two statements relative to matters personal to myself. I trust the House will excuse my taking up their time even though for a few sentences only in dealing with personal matter. But I have read a speech which was made in this House yesterday, during my absence, a speech of which I had had no notice whatever, and I feel compelled to ask the attention of the House to a personal explanation which that speech has rendered necessary. I fancy there is on either side of the House only one Member who could have made so grave, so serious, and, I would say, so monstrous a charge against a fellow Member without having given him the slightest notice that such a charge was to be brought forward. Had I known that the charge was to have been made I should have been in my place yesterday, and I should have answered in a speech of ten minutes the statement then made, and thus have saved the House the trouble of listening to me at this hour of the evening. The charge to which I allude was made by the hon. Baronet the Member for North Antrim (Sir C. Lewis), and it had reference to certain books which he said were not produced before the three Judges. The books referred to were the books of the National League of Great Britain, an organisation belonging to this country alone, and having nothing whatever to do with the operations carried on under the much more important and influential National League of Ireland. In the course of his remarks the hon. Baronet paid me a genteel compliment, and I trust that hon. Members on the other side of the House, whose opinions I value, will retain the good opinions thus expressed of me after I have made my statement. The hon. Baronet said I had been ordered by the Judges to state, and that I had made an affidavit stating, that the documents and books of the English League were in my possession; then, the hon. Baronet remarked—

"Would it be believed that in that affidavit were scheduled several of the books;"

and he gives the names of some of them

'Which were to have been produced before the Court, and the hon. Member swore that those books were in his possession and that they should be produced before the Commission, and they were not produced before the Commission."

The hon. Baronet went on to imply a charge against me which I think hon. Members when they hear it will say amounted to nothing short of a charge of false-swearing. He said—

"It is stated that some mistake had been made. An affidavit on oath by a Member of the Legislature—is that a mistake?"

Now the hon. Baronet began those sentences by asking would it be believed that such a thing could have happened. Now let me ask this question, and I put it in the same form as that of the hon. Baronet. Would it be believed that the

hon. Gentleman was making a gross and flagrant mis-statement of the facts of the case, and that, too, in my absence? He stated in the course of his speech, in reply to some interruption, that he had his spectacles on and could read. Why, I ask, did he not put his spectacles on and read the Report of the learned Judges, telling the House what those gentlemen had said about the matter of fact? The hon. Baronet had the Report in his hands, and quoted from it once and again; but instead of quoting from it he made a flagrant, an outrageous —I will not use a stronger phrase, but I must call it a calumnious statement about an absent Member. Here is the whole substance of the matter. Here is what the learned Judges say. I quote their actual words. The hon. Baronet said I had had the books in my actual possession, and that I swore I would produce them, and did not do so. Hear what the Judges say—

"Mr. Justin M'Carthy, M.P., in an affidavit he made on October 19, 1888, stated that he had obtained a list of books relating to the League, and which he was willing should be produced in our Court."

That is a clear, exact, and accurate statement of the fact. I applied to the Secretary of the League, through my solicitor, Mr. Lewis, for a list of the books in his possession, and having got that list I swore that I had received it, and was perfectly willing that all the books in the list should be produced. I never swore that I had the books in my possession, and could not have sworn anything of the kind. Even the counsel for the *Times* — I do not mean the hon. and learned Gentleman the Attorney General, but Mr. Murphy —used the phrase, "Those books and documents which were technically in your possession as President of the League." But although they were thus in my possession technically, I had no possession of them otherwise. Counsel for the *Times* called on me to produce them. I had a list of them, and had made affidavit that I had that list, as the Judges have stated, and as far as I was concerned I was perfectly willing that the books should be produced in Court. Now, Mr. Speaker, I ask the House what does it think of the statement of the hon. Baronet, who, with the Commissioners' Report in his hands and professing in every other sentence to quote from it, nevertheless deliberately stated that I swore I had the books, that I would produce them, and that I did not do so? I ask the House, can there be any mistake about the statement made on oath by a Member of the Legislature? Is not the hon. Baronet's assertion the more outrageous and the more flagitious, because in this House only the other night the right hon. Gentleman the President of the Board of Trade (Sir M. Hicks Beach) commented on the absence of certain books and their non-production, but being, as he is, a gentleman and a man of honour, he read from the Report of the Judges the passage I have just quoted, and made no comment whatever in disparagement of me or my personal integrity. Why, therefore, with this Report before him, did the hon. Baronet the Member for North Antrim persist in putting before the House so gross and so monstrous a mis-statement? But, Sir, I confess I am not surprised. I have said there was only one Member of this House who could be guilty of making such a statement without having given notice to the man whose character he intended to attack. There are many Members of this House who know the history—the modern history—of the City of Derry, and they will perfectly understand the meaning of the hon. Baronet's attack. The hon. Baronet spoke of me as his successor in the representation of Derry, and he also said a good deal about the Report of the Judges. But I would remind the hon. Baronet that there is another Judges' Report to be found in the Library of this House which relates to the City of Derry and to a certain election there, and which shows how the hon. Baronet lost his seat—a Report which hon. Members might find very interesting in the perusal. The hon. Baronet is a lawyer of the school of Sampson Brass.

It being midnight, the Debate stood adjourned.

Debate to be resumed to-morrow.

House adjourned at five minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 7th March, 1890.

LICENSING ACT, 1872, AMENDMENT BILL.

A Bill to amend the Licensing Act, 1872, as to granting licences for the sale of intoxicating liquors at railway stations—Was presented by the Earl Beauchamp; read 1ª; to be printed; and to be read 2ª on Friday next. (No. 35.)

HOUSE OF LORDS OFFICES.

First Report from the Select Committee, considered (according to order).

THE EARL OF MORLEY: I beg leave to move the adoption of this Report. The only point of importance in it, as far as I know, is the recommendation of the Committee that an allowance of £1,500 per annum should be awarded to Mr. Disraeli, as a pension in consideration of his services. I should mention that although Mr. Disraeli has had only 15 years' service in this House, his aggregate period of employment in the public service has extended over no less a period than 48 years.

Report agreed to.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Earl of Kimberley to the Standing Committee for Bills relating to Law, &c., for the Consideration of the Colonial Courts of Admiralty Bill. Read, and ordered to lie on the Table.

EDUCATION (SCOTLAND).

*LORD NORTON: My Lords, I beg to move for the Returns of which I have given notice. I want to say one word as to the reason why those Returns should be presented to your Lordships. At this moment everybody knows there is a great cry for free education, whatever that may mean, and what has been done in Scotland has been quoted as an authority or as a precedent for imitation in England. What the Scotch Act does is out of the Treasury Funds to free parents in Scotland of every class from paying anything for the education of their children in State-aided schools. Anything that the Treasury may pay for is supposed to be free, and even those who recognise the Treasury as merely collective taxes, call that free education, which is paid for out of the Treasury, so as to free parents who use the schools from paying anything more than all taxpayers pay in common. These Returns will show, in the first place, the primary provision made by the Scotch Act to free from fees is wholly inadequate. The Act appropriates, in the first instance, the balance of the Probate Duties after two prior charges for the purpose. It turns out that the sum required last year was £240,000, and that those prior charges amounted to £280,000. So that, as regards this primary provision for free education in Scotland, the real amount of it was a minus quantity of £40,000 in the year. But the provision has been made from Excise licences; so that the main support of free education in Scotland is from consumption of whisky. The harder they drink the more available the provision for free education.

"Nunc est bibendum, nunc pede libero
Docenda tellus."

But, even with Excise Duties, the provision must fall short of its intention to free from all payment fees. The Return will, I believe, show that two-thirds of the schools are relieved from the payment of fees only in respect of infants; that some are relieved from fees up to the Third Standard; that some schools are relieved from fees up to the Fifth Standard, and only a few of them from all fees. There is another point to which I should draw attention. These Returns will show that it is far easier to make a distribution of public money among the almost universal Board schools of Scotland than it could possibly be among the schools of England, one half of which are voluntary. It is clear from that one distinction there can be no inference whatever made from the Scotch Act to what would suit England. The Returns will also show that some Boards are to be allowed under the seventh paragraph of the Education Minute to receive this relief while still maintaining some schools charging fees. Your Lordships ought also to be in possession of information as to the regulation which has been made by the Education Department in Scotland for those schools which, under the Endowments Act of 1882, already had funds for the payment of fees. The Return

will show that in Edinbugh and Glasgow, and in how many other towns, there have been public meetings held to protest against this distribution of public money in payment of fees. They call it a class-distribution and find fault with it as not having taken a fair average of fees throughout the Kingdom, and still allowing some fees to be paid, which, they say, is contrary to the principle of perfect equality in the parochial schools of Scotland. I hope, my Lords, that if these Returns are at all what I expect they must be, we shall have an end of the quotation of the Scotch Act as a precedent which it is desirable should be followed in England.

Moved—

"That there be laid before this House Returns showing—

How much relief from fees has been given to parents sending children to State-aided Schools in Scotland from the balance of Probate Duty so appropriated by the Act of last Session;

How much from other taxes, and what taxes;

In how many schools such relief has been accepted

i. For infants only;
ii. For scholars up to Third Standard;
iii. Up to Fifth Standard;
iv. For all;

How many voluntary schools have accepted such relief, and what proportion of the 3,120 schools are voluntary;

How many boards have been allowed under paragraph 7 of the Minute of 26th August, 1889, to maintain some schools charging fees;

What is the regulation made for schools which by schemes under the Endowment Act, 1882, have funds for payment of fees, and the number of such schools;

In what places dissatisfaction has been expressed at the grants not covering all fees up to the highest."—(*The Lord Norton.*)

*THE SECRETARY OF STATE FOR SCOTLAND (The Marquess of LOTHIAN): My Lords, I wish very much for my own sake, and for the sake of your Lordships also, that I had been able at once to assent to the Motion of the noble Lord who has asked for the Returns of which he has given notice; but I am bound to say that the ideas with regard to the Returns which have been asked for by the noble Lord are based partly upon ignorance of the state of matters as they now are, and partly upon a misapprehension of the state of matters which has been brought about by the Local Government Act of last year. The noble Lord has asked for these Returns apparently upon the ground that they will convey information to your Lordships which you are not already in possession of. With the exception, perhaps, of the very last paragraph of the noble Lord's Motion for Returns your Lordships are already in possession of all the facts, so far as it is possible for those who are not within the Department to be acquainted with them One passage in the noble Lord's speech filled me with astonishment. He began by saying that he moved for these Returns in order to show that the working and results of the Scotch Act would not give ground for the adoption of the system in England; and then he proceeded to say in the very next sentence that the circumstances were in England so absolutely different from those in Scotland that the working of the Scotch Act could afford no guide whatever as to whether the same course should be followed in England or not. That is all I have to say with regard to the remarks which have fallen from the noble Lord; but I should like to refer somewhat in detail, if your Lordships will allow me, to the Motion for Returns which has been made. The first Return asked for is as to how much relief from fees has been given to parents sending children to State-aided schools in Scotland from the balance of the Probate Duty so appropriated by the Act. That means to say that in giving relief from the payment of fees some sort of donation has been made to parents. But that is a total misapprehension of the matter. There is no payment in regard to parents whatever under the Minute of the Privy Council dated the 26th August; the payments for fees have been made to the managers of State-aided schools, the entire number of schools being 3,126. That payment is directed not to the relief of the parents directly, but in order to enable the managers of the State-aided schools to relieve them from dependence upon the payment of fees as far as they could under the Minute of the 26th August. That is the object of it. There is no direct relief to parents; I acknowledge, of course, that there is relief; but from the notice for the Return which the noble Lord asks for, he appears to think that direct aid is given to the parents. Then, with regard to the second Return, the noble Lord, after

speaking of the balance of Probate Duty appropriated by the Act of last Session, asks how much relief has been given from other, and what, taxes. It is simply impossible for me to say from what special taxes this relief is given. Under the Local Government Act of last Session —I think it is Section 19—the Probate Duty as far as it went, the Excise Duty, and the Licensing Duty, which the noble Lord objects to so much, were taken together; but upon those duties there were first charges, not two, as he suggested, but a great many more. There were charges for pauper lunatics, police, roads, for medical relief, and a small charge in respect of the Highlands and Islands, amounting altogether to £330,500. The total amount for the half-year from those two sources which are available for relief from the payment of fees for education from the 31st October to the 31st March now approaching was £499,800. Deducting the £330,500 from that sum you have for the relief of education fees for the six months ending 31st March £169,300, not £240,000 as I understood the noble Lord to say.

*LORD NORTON: I beg pardon; I only said there was a sum of £240,000 required for freeing from fees and from the Probate Duty, after, from charges only, a negative £40,000 available.

*THE MARQUESS OF LOTHIAN: The Probate Duty came to £234,300: the noble Lord is practically right so far. But that does not cover the whole amount necessary to be provided for freeing education, and, therefore, it has to be supplemented by the Licensing Duties. But it is all settled by the Local Government Act, and all the noble Lord has to do, if he disapproves of the system, is to ask for the repeal of the Act, which can only be done, of course, by Parliament. Then that sum, which is not £240,000, as I thought the noble Lord stated, but £169,000, has enabled relief to be given to the amount of 6s. 6d. for every child where the payments have been made. Of that sum, 2s. 6d. was paid in October, another 2s. 6d. in January, and there remains 1s. 6d. still to be paid. But in saying that, I must state that that is a matter of estimate only, because, until the Probate and Excise Duties are sent into the Treasury, it is impossible to say exactly what the amount will be; but still I think the amount I have mentioned—6s.6d.—will be available as an average for every child in Scotland. I think that, in asking for the Returns, the noble Lord also has in his mind that this is a fixed amount; but the amount is by no means fixed. It is subject to two variations; in the first place, if the number of children is very largely increased, as, of course it may be, in any sum that has to be divided among them, though the aggregate remains the same, the special allowance for each individual child will be less; and, on the other hand, if the amount should prove to be greater, the sum available for distribution would be larger. Again, there may be a variation in the Probate and Excise Duties—they are no doubt subject to variation. I mention that to show that it is absolutely impossible to say what the amount for each child will be in the future. On these grounds, my Lords, again I need hardly say that it is absolutely impossible for me to state what the effect of the Returns asked for under the first two heads would be, and I do not think it would be of any benefit to give them. As I have said before, the noble Lord seems to me to put his question under a misconception. With regard to the third question as to the number of schools in which the relief has been accepted, I think if the noble Lord refers to the Minute, he will see that it is impossible under the terms of the Minute already referred to to give a Return in that form. It would be quite contrary to the terms of the Minute, because there is no distinction made in it between infants and scholars up to the Third Standard; and not only that, but with regard to the form of the Return asked for up to the Fifth Standard, under the terms of that Minute, a certain amount of free education must have been continued up to the Fifth Standard, but beyond that the Minute does not touch upon the point. I have already placed in the hands of the noble Lord a Minute which, I think, will give him all the information he requires, and I shall be quite ready to place that upon the Table of the House. With regard to the next question, how many voluntary schools have accepted such relief and what proportion of the 3,120 schools are voluntary, I am able to inform the noble Lord that out of the 3,126

schools I have mentioned, 488 are voluntary, but those which have accepted payments in relief of fees upon the conditions of the Minute of August 26th, 1889, are 472 in number; there are only 16 remaining, and those schools do not ask for the grant at all. With regard to the next question, how many Boards have been allowed under the Minute of August 26th to maintain schools charging fees, I have to say that the number of schools charging fees are 44 under the management of 26 Boards. Then, with regard to the next question as to the regulations for schools, which, by schemes under the Endowment Act, 1882, have funds for the payment of fees and the number of such schools, I think your Lordships will see that it is simply impossible for me to give the Return desired by the noble Lord. In the first place, if he will refer to the 85th section of the Local Government Act he will find the terms upon which the regulations are made. Every single case has to be considered upon its own merits. Some of these endowments have alternative schemes for the use of money which has been dedicated to free education; but, as a general rule, where there is no regulation under the Endowment Schemes, and where it has been necessary to consider what was to be done with the money, they have used it for the remission of fees in classes above the Fifth Standard. But there has been no general regulation made in that respect, and, therefore, it is impossible for me to give particulars of a regulation which does not exist. Then the last question is: in what places dissatisfaction has been expressed at the grants not covering all fees up to the highest; and I confess myself astonished that the noble Lord should have put that question on the Paper. Before he requests a Return of that kind, I would ask him to define what he means by "dissatisfaction"? Does the noble Lord mean dissatisfaction expressed by outside individuals or by School Boards, by outside Bodies, or by whom? There are many points which have been raised; some persons have been dissatisfied because absolutely free education has not been given; and some persons have expressed a wish that Government should give further grants in order to enable them to give free education throughout their schools up to Standard V. All sorts of points might be raised by giving the Returns asked for by my noble Friend, even if it were possible to do so. Even if it were possible I should say that it would be most unwise to give such a Return; and as it is neither possible nor, as I consider, desirable, I am afraid I cannot give the Return asked for. I think I see in the last paragraph an attempt to found a reason for a letter which appeared some time ago in the *Times*. I am not quite sure what the noble Earl's words were; but, at any rate, he expressed an opinion that the new scheme of free education in Scotland was altogether impracticable and invidious. I can only say I read that letter to the *Times* with very great regret. When the noble Earl wrote it, I can only say that it was under a total misapprehension of the subject, and I think he should not have attempted to throw discredit on the system at starting. In every state-aided school in Scotland it has been adopted and carried out with exceedingly little friction. If the noble Lord expects that every Act of Parliament is going to bear upon every individual who comes under its operation exactly in the same way, of course he may have that opinion; but so far as the working of the Act is concerned, and the Minute of the Education Department under the Act, it has been carried out with absolute fairness and equality in every part of Scotland and in every school which has come under the control of the Department. I think I have answered most of the points raised by the noble Lord. I hope he may be satisfied with the statement I have made. All I can do, I think, is to make a Parliamentary Paper of the information I am able to give.

*LORD NORTON: I trust your Lordships will allow me to say one word. I shall be much obliged to the noble Marquess for giving what Returns he can; but he must allow me to say that his objections to some parts of my Motion seem to me rather inadequate. He said he could not state what the result of the Act would be for every year. Of course not. The Return I ask for is to show its effect in the past year. I do not ask for Returns to cover every year. Then he says that if I object to the Act, my proper course is to seek to repeal the Act; but that is

not what I desire. All I ask is that the Act shall not be extended to England. I do not care what the Scotch people may like to adopt in their own country. Then, with regard to the dissatisfaction which has been expressed at large public meetings. I have in my hands a report of the protests made in Glasgow, and I believe there have been protests at public meetings in other towns also. When the noble Marquess says the relief from fees is made to managers of schools and not to the parents, I fail to see the distinction; if it is given to managers in relief of fees which the parents would have to pay, it is a grant surely in relief to the parents. I hope the noble Marquess will give all that can be given in the way of information. For the particulars he has given me in manuscript I am exceedingly obliged to him, and if he will have them printed for the information of the House I shall be glad.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I have only a few words to say with regard to one point which my noble Friend has made. How can the Education Department give Returns of the meetings which have expressed dissatisfaction with the Act? If such meetings take place they may petition this House, and that is a more convenient course than asking for Returns in this House from a Department which has no means of obtaining them.

THE LORD CHANCELLOR: Does the noble Lord press his Motion?

*LORD NORTON: I do not think I can press it further at present.

On Question, resolved in the negative.

BUSINESS OF THE HOUSE.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): There is a Motion which stands in my name for a change in your Lordships' arrangements. It is, I think, due to the noble and learned Lord opposite (Lord Herschell), and it has, I believe, received the assent of those who have had the working of Committees last year. A very considerable difficulty was found in consequence of noble Lords who had to attend on the Committees not being present in the House when their presence was required. That, I think, was even more the case with my noble and learned Friend in reference to Bills which required his attention than with any other Member of the House. I beg to move—

"That the evening sitting of the House on Tuesday next and on all subsequent Tuesdays during the present Session do commence at half-past five o'clock unless the House shall otherwise order."

On Question, agreed to.

CHRISTIAN MISSIONS IN SYRIA.

OBSERVATIONS.

*LORD TEYNHAM: My Lords, although the subject which I am about to bring before you is not on the Orders of the Day, I trust I may be allowed to congratulate the noble Marquess on the admirable appointment he has made to the post of Consul General at Beyrout, to the delight, I should imagine, of everyone who is interested in Syria, a country which is increasing annually in prosperity, and daily in interest. With regard to the Christian Missions there and the long-pending appointment to the post of Consul General at Beyrout, I should be deceiving the noble Marquess if I were not to confess that very considerable misgivings and anxiety —

THE EARL OF FEVERSHAM: I rise to order. I wish to submit to your Lordships whether the noble Lord is in order in bringing forward a subject of which no notice has been given? It is contrary, I believe, to the general custom of this House.

THE MARQUESS OF SALISBURY: It was before I was in the House, but I think there was a Report made by a Committee of which, I believe, Lord Stanhope was Chairman—a Report in which the House coincided—that matters of importance should not be brought forward without due notice. As that is the case the noble Lord is out of order. If he will kindly put his Motion on the Paper we shall be in a better position to discuss it than we possibly can be now.

*LORD TEYNHAM: I am sorry the noble Lord has thought it right to interrupt me. I am quite certain that what I was going to say would not have been unwelcome to your Lordships. I do not think it would have been objected to. I had a particular reason for making

these remarks, and that is, that I have received a communication this afternoon from the British Syrian Mission, an Institution which under the patronage of Bishop Perry takes in Syria very much the position which the Church Missionary Society takes in Palestine. I hope I shall not be interrupted. I was about to say that I have received a communication which I intended to press orally upon the noble Marquess in this House in order to spare him, in order to spare the Foreign Office, and, if I may be permitted to say so, in order to spare myself the correspondence which will otherwise be entailed, as I assure your Lordships will be the case, correspondence which I assure my noble Friend who interrupted me, as I venture to think without sufficient cause, will ensue if I am not permitted to bring this matter forward now. Of course, I am in your Lordships' hands; but even during the short time I have sat in this House, in the present Session, noble Lords have been permitted to mention matters which were not down on the agenda. It remains with the noble Marquess, and I ask him to say whether I shall not be permitted to spare himself, the Foreign Office, and myself the correspondence which must otherwise ensue?

THE MARQUESS OF SALISBURY: The Foreign Office is very much accustomed to correspondence, and I do not know whether they will shrink from the ordeal with which the noble Lord threatens them. As far as I am concerned, I shall be very pleased to listen to anything the noble Lord has to say; the only thing I cannot promise is to give him an answer.

*LORD TEYNHAM: I am sure what I desire to say will not be unwelcome.

THE MARQUESS OF SALISBURY: I should be very glad to hear what the noble Peer has to say, and if noble Lords do not object I shall hear what he wishes to state, but I cannot promise him an answer without notice.

*LORD TEYNHAM: I should not presume to expect an answer from the noble Marquess now; but I have a communication from the Syrian Mission. I had the honour of bringing another question not very dissimilar to this before the noble Earl in 1885. That matter was settled, and I have no doubt it was settled the more easily because the schools relative to which the dispute between the English and Turkish Governments then arose——

EARL GRANVILLE: My Lords, I rise to order. I will merely state that I rise as an individual Peer, and that I have the right to call the attention of the House to a question of order, whether I am appealed to directly by the noble Peer or whether he is appealing to anyone else. It appears to me that what the noble Marquess has said is perfectly correct, and that it is out of order for a noble Lord to bring on a matter of which he has not given notice. The noble Lord will put himself in order by placing notice on the Paper for a day when he can bring before the House any arguments he has in favour of his notice.

*LORD TEYNHAM: I am sorry noble Lords will not let me finish what I commenced. I can only appeal again to your Lordships ——

THE EARL OF CAMPERDOWN: My Lords, I rise to order. The noble Lord has been called to order three or four times, and I beg to move that he be not now heard.

THE MARQUESS OF SALISBURY: I beg to move that the House do now adjourn.

House adjourned at Five o'clock, to Monday next, a quarter before Eleven o'clock

HOUSE OF COMMONS,

Friday, 7th March, 1890.

QUESTIONS.

IRELAND—INNISMURRY ISLAND LANDING PIER.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in face of the frequent complaints as to the necessity of a landing pier at Innismurry Island, off the coast of Sligo, the Government will instruct that a portion of the grant for the construction and improvement of harbours of refuge and landing piers for the accommodation of those engaged in the herring fishery shall be

allocated for the purpose of making this so much-needed landing pier, and so obviate the danger and difficulty of the fishermen having to haul their fish and material from the boats over rocks nine or ten feet high, and facilitate the industry of the islanders?

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): However desirable the proposed pier might be, the question of its construction can only be considered in connection with similar claims from the rest of Ireland.

EVICTIONS ON THE STEWART ESTATE.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state how many evictions are to be carried out on the estate of Mrs. Anne Stewart, in the townlands of Cloughanedy and Gweedore, within the next few days; whether he is aware that the estate solicitor, Mr. Mallins, called on Father M'Fadden, of Gweedore, and Father Boyle, of Falcarragh, on the 28th January, to discuss the terms of a settlement, when payment of rent for a year and a half was offered on behalf of the tenants in full discharge of all claims and arrears to November, 1889, with an alternative of submission to arbitration, and that at the present time Mr. Mallins and Father M'Fadden are in correspondence on the subject of an amicable settlement; and whether, in view of these circumstances, and the fact that influenza is very prevalent in this district, the forces of the Crown will be employed in the carrying out of these evictions?

*MR. A. J. BALFOUR: So far as the Government are aware, there are no evictions to be carried out during the next few days on the estate of Mrs. Anne Stewart, in the townlands of Cloughhanedy and Gweedore. It is understood that there have been some negotiations for a settlement; but I am not aware of the proposed terms.

MR. MAC NEILL: Is it not within the knowledge of the right hon. Gentleman that these evictions are to be carried out on the 28th of this month?

*MR. A. J. BALFOUR: It is quite possible. The information I have received is to the effect that no eviction is to be carried out within the next few days.

MR. MAC NEILL: Are any evictions to be carried out this month?

*MR. A. J. BALFOUR: If the hon. Member will put the question upon the Paper I will inquire.

EVICTIONS ON THE OLPHERT ESTATE.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state how many evictions are fixed to be carried out on the Olphert Estate, in the County of Donegal, before the 28th instant; whether the pending evictions will include those cases in the district of Glassercoo, which were abandoned last May at the suggestion of the Government; are there any changes in the circumstances of the tenants since that warrant their eviction now; is he aware that several of these tenants have not now and had not for some years one head of cattle on their holdings; and whether, having regard to the distress and destitution of the people and the prevalence of influenza of a serious form in the district, the Government are prepared to lend the forces of the Crown to carry out these evictions?

*MR. A. J. BALFOUR: It appears that 23 warrants issued against tenants on the estate mentioned will expire on the 28th inst. Of these, 17 are in respect of cases in the Glassercoo district, which were abandoned last May in the hope that a settlement might be arrived at. I understand there is no change in the circumstances of the tenants since last May. They are represented as owning one and two cows each, some sheep, and in many cases a horse. No distress prevails, neither is there a prevalence of influenza of a serious form in the district.

MR. MAC NEILL: Were the intended evictions in the district of Glassercoo abandoned last May at the suggestion of the Government?

*MR. A. J. BALFOUR: The hon. Member made that assertion in his question, and if he wants information in regard to that assertion he must put a notice on the Paper. As to the statement that the tenants had cattle, I have received the information through the usual sources.

MR. MAC NEILL: Is it not within the knowledge of the right hon. Gentleman that these evictions were abandoned last May at the suggestion of the Government?

*MR. A. J. BALFOUR: The hon. Member asks me a question with regard to a transaction a year ago. I have not the slightest idea; but if he puts a question on the Paper I will inquire.

DUNGARVAN WATER SUPPLY.

MR. P. J. POWER (Waterford, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why was the notice of the inquiry which the Local Government Board of Ireland recently held, with reference to the proposed scheme for supplying water to the town of Dungarvan, only inserted in two Conservative papers, namely, the *Waterford Standard* and the *Waterford Chronicle*, which have no circulation in the neighbourhood of Dungarvan; whether the Local Government Board was aware when advertising this inquiry that not more than six copies of the papers they selected are sold per week in Dungarvan; can he explain why these advertisements were not inserted in the *Waterford News* and *Munster Express*; and will the Local Government Board in the future take care that advertisements relating to matters of local importance are inserted in the Nationalist newspapers which circulate most widely in the County of Waterford.

MR. A. J. BALFOUR: The notice referred to was inserted in the newspapers mentioned in the first paragraph for the reason that they circulate in the district concerned. The Local Government Board are not aware of the number of copies of these papers sold weekly. The insertion was withheld from the newspapers mentioned in the third paragraph because they both continue to violate the law. In the giving of Government advertisements care is taken to select those newspapers circulating most largely among the persons interested, provided that any such newspaper does not violate the law.

CASE OF MR. WILLIAM STEWART.

MR. MATTHEW KENNY (Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if Mr. Mr. William Stewart, lately teacher at Tullymore National School, County Tyrone, has applied to the Commissioners of Education for a retiring gratuity, on the grounds of ill-health, based on a medical certificate given by a local physician; if Mr. Stewart had been already dismissed from his office by the manager of the school; and if, before complying with Mr. Stewart's request for a gratuity, the Commissioners will cause inquiry to be made as to the accuracy of the facts certified to by the physician alluded to?

MR. A. J. BALFOUR The Commissioners of National Education report that the facts are as stated in the first paragraph. The Commissioners have no information as to the allegation in the second paragraph. They will make full inquiry in this as in all cases before sanctioning a retiring gratuity.

NEWCASTLE HARBOUR, DOWN.

MR. M'CARTAN (Down, S.): I beg to ask the Secretary to the Treasury whether any inspection of the harbour works at Newcastle, County Down, was made during the recess; whether any Report has been since made on the present state of the harbour; and whether he will advise a grant to be made to render the harbour a place of safety for the purpose of protecting the lives of the fishermen engaged there?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): No formal Report has been made; but when I was in Ireland I visited Newcastle during the month of November, in company with the Chairman and chief engineer of the Board of Works. After hearing the views of those locally interested, and subsequently discussing the subject with the professional advisers of the Treasury, I came to the conclusion that I should not be justified in proposing a grant of public money for the reconstruction of the harbour.

BILLETING POLICEMEN ON TENANTS.

MR. O'KEEFFE (Limerick City): I beg to ask the Attorney General for Ireland under what Act of Parliament, or Law, the threatened billeting of policemen on tenants' houses in Glensharrold, County Limerick, is legal; and if, the magistrate's orders for possession being over two

months old, the Sheriff can now legally act, having regard to Sub-section 2, Section 7, of "The Land Law (Ireland) Act, 1887"?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): There is no intention to billet the police in any houses occupied by tenants; but upon the evictions being finally carried out it will be necessary for the landlord to provide house accommodation for the police requisitioned for the protection of the caretakers. I am not aware of the dates of the legal processes in the case; but the sheriff will, I have no doubt, be guided by the requirements of the Statute in carrying out the evictions.

MR. J. E. O'MAHONY.

MR. CONDON (Tipperary, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has communicated with the Irish Prisons Board, with a view to have Mr. John E. O'Mahony, editor of the *Tipperary Nationalist*, re-transferred from Tullamore to Clonmel Gaol, in order to afford him facilities for defending a civil action instituted against him by Colonel Caddel, R.M.?

MR. A. J. BALFOUR: As stated in reply to a question on this subject put yesterday by the hon. Member for North Cork, the General Prisons Board see no reason for re-transferring the prisoner mentioned to Clonmel, seeing that full facilities have been, and will continue to be, afforded to him for obtaining legal advice in reference to the civil actions instituted against him.

ALLEGED TREACHERY AT TEL-EL-KEBIR.

MR. JUSTIN HUNTLY M'CARTHY (Newry): I beg to ask the Secretary of State for War whether his attention has been called to an article in the *Nineteenth Century* for the current month, entitled "A Battle described from the Ranks," by Arthur V. Palmer, in which the author alleges treacherous conduct on the part of two "Glasgow Irishmen" at the battle of Tel-el-Kebir; whether his attention has been called to various denials of this allegation; and whether he can give the House any information on the subject?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No, Sir; I do not think I can give the House any information on this subject. It is possible that the hon. Member for Birkenhead (Sir E. Hamley) may be able to throw more light on the subject than I can, seeing that he took a distinguished part in the campaign.

MR. J. H. M'CARTHY: I will repeat the question on Monday.

MR. M. KENNY: Has the right hon. Gentleman seen the contradiction given by Colonel Swaine to a number of the statements made by Palmer, notably with reference to an order alleged to have been given by Lord Wolseley for the bayoneting of a man who cried out during the night march?

*MR. E. STANHOPE: I did see the letter referred to in the *Times*.

CHIEF CONSTABLE OF CARDIGANSHIRE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for the Home Department if his attention has been called to the dismissal on 20th February by the Standing Joint Committee of Cardiganshire by the casting vote of the Chairman, and in spite of the protests of the representatives of Quarter Sessions of the Chief Constable of the county, without reason being assigned, and shortly before he would be entitled to superannuation on completion of 15 years' service, and on attaining the age of 60; and whether such proceedings on the part of a Joint Committee of a County Council and the Justices are subject to confirmation by the Home Department or other authority; and, in the contrary case, what steps it is proposed to take to insure a full inquiry into all the circumstances of the case?

*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): Yes, Sir; the attention of the Secretary of State has been called to this matter. It was stated in a newspaper report that the Chief Constable was dismissed by the casting vote of the Chairman, who, however, in a letter received this morning, denies that this was the case, and also that the Chief Constable was dismissed without reasons being given. Certain

legal questions have arisen with regard to the action of the Joint Committee, which are now under consideration; and at the present moment the Secretary of State is not in a position to say what steps, if any, the Government may consider it their duty to take in the matter.

MR. B. ROWLANDS (Cardiganshire): Is the hon. Gentleman aware that the Chief Constable declined to recognise the authority of the County Council?

*MR. S. WORTLEY: Notice must be given of that question.

NAVY CONTRACTS.

MR. HANBURY (Preston): I beg to ask the First Lord of the Admiralty whether about 1,000 boiler tubes were received at Malta from Deptford in 1887, of which nearly 800 were condemned on arrival as "not reliable;" whether under the store instructions, when stores are sent abroad, "the most particular care is to be taken to select for that purpose the best articles of every kind; whether a large proportion of the same order had already been rejected at Deptford, and what was the total percentage of rejections at Deptford and Malta together; who was the contractor who supplied them, and what amount of orders has he since received; and whether, as stated by the Auditor General, it is intended to use the 800 boiler tubes rejected at Malta as "not reliable" for use in the Naval Service as opportunities offer?

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON, Middlesex, Ealing): The answer to the first two questions is, yes. Of the first delivery of tubes about 30 per cent. of the total order were rejected at Deptford. The second delivery of tubes was tested at Deptford and stood the tests. These tubes, when being subsequently fitted in the boilers of torpedo boats at Malta, disclosed defects which the previous tests at Deptford had not brought to light, and 65 of these having been tested at Malta with unsatisfactory results, it was decided to send back the whole of the tubes to Deptford. Iron tubes are not now purchased for boilers, and the tubes required for the foreign yards are now tested at Chatham. Messrs. E. Lewis and Sons, Wolverhampton, were the contractors. No further orders for iron tubes have been given to Messrs. Lewis; but an order for 1,250 steel tubes was placed with them in March, 1889. In consequence, however, of delay in the delivery of these tubes, it was decided that Messrs. Lewis should not be asked to tender again in 1889. The 800 boiler tubes rejected at Malta were considered "not reliable" for use for boilers in Her Majesty's ships; but they can and will be utilised in connection with the supply of fresh and salt water, and for air pipes and other similar services.

H.M.S. *VICTORIA*—THE 110-TON GUNS.

MR. HANBURY: I beg to ask the Secretary of State for War whether, as he has stated, that the contracts and schedules for the manufacture of the 110-ton guns of H.M.S. *Victoria* "did not specify either the material to be used or the tests to be applied," he can now state what did constitute the binding agreement on these points with the Elswick Company, and which the War Office consider as an adequate substitute for a formal and businesslike contract; and whether orders for other guns, and, if so, what guns, have been given to the Elswick Company without a written contract as to material and tests?

*MR. E. STANHOPE: My hon. Friend is asking me as to a contract made in 1883. At that time the whole responsibility for guns rested with the Superintendent of the Royal Gun Factories, who laid down the terms and whose agent was stationed at Elswick to test material. And the contract gave him the fullest powers to prove the guns. As a matter of fact, the tests for steel since that time have become more severe, and the contracts require that the guns shall pass to the entire satisfaction of the officer appointed to pass them.

MR. HANBURY: Is there anybody responsible for those guns in the Service at the present time?

*MR. E. STANHOPE: I should imagine that the Director of Contracts is.

MR. HANBURY: I beg to give notice that I will call attention to the proceedings of the Director of Contracts on the Special Vote.

THE AFRICAN ASSOCIATION OF LIVERPOOL.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for Foreign Affairs whether any application has been made to Her Majesty's Government on behalf of the African Association, Limited, of Liverpool, asking for the grant of a Royal Charter to the said Company, and whether any decision has yet been come to in regard to such request; whether he is aware that it has been charged against that Association that they have already entered into negotiations with one of the largest distillers in Holland, with the view to take the whole of their production of gin for trade in the Oil Rivers, for the purpose of defeating intended purchases by their co-traders; whether he is aware that it has been charged against that Association that they have carried on negotiations with a large gunpowder company to take all the powder they could make for export to the Oil Rivers, with the view to a monopoly of that commodity; whether he is aware that it has been charged against that Association that they have been endeavouring to obtain a preference from the steam shipping companies, so as to obtain a preference over the other traders on the Oil Rivers; whether he is aware that it has been charged against that Association that since its operations in the Protectorate it has sought to crush out all rival traders by paying prices for produce far beyond its market value; whether he is aware that the Liverpool Chamber of Commerce this week decided, by a majority of 26 votes to three, after hearing the promoters of the African Association, that it was undesirable that they should receive a Royal Charter; and whether Her Majesty's Government, under these circumstances, will institute some independent inquiry into the position of this Association before seriously entertaining their claim to the powers implied by granting them a Royal Charter?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): In reply to the first question of the hon. Member I beg to state that such an application has been made, but no decision has been taken in regard to it. The charges specified in the second, third, fourth, and fifth paragraphs have not been brought before Her Majesty's Government, but they are aware of the opposition in the Liverpool Chamber of Commerce and elsewhere to the grant of a Charter to the Association. As I have already stated, a very full inquiry has been made into all the circumstances necessary to be considered. The results are under consideration, and no action whatever will be taken without hon. Members having previously an opportunity of offering objections to the course proposed.

THE ROYAL NIGER COMPANY.

MR. PICTON (Leicester): Will the right hon. Gentleman be good enough to supplement his answer to the last question by saying whether he can give a Return of the quantity of spirits imported by the Royal Niger Company since it obtained a Charter of Incorporation?

*SIR J. FERGUSSON: I must point out to the hon. Member that the question has no connection with the question on the Paper which has reference to the Oil Rivers. The hon. Member had better put a distinct question upon the Paper.

ROYAL MARINE ARTILLERY—CASE OF CHARLES SHEARD.

MR BRADLAUGH (Northampton): I beg to ask the First Lord of the Admiralty whether his attention has been called to the case of Charles Sheard, who enlisted in the Royal Marine Artillery on the 15th July, 1884, who was invalided for debility after fever, and discharged on 11th July, 1888, but who remained in Haslar Hospital until finally discharged on 3rd December, 1889; whether Charles Sheard was awarded a pension of £9 2s. for nine months from 1st August, 1888; whether any portion of this pension has been paid to him, or whether the whole of the pension has been stopped, on the ground that he was in Haslar Hospital from 6th July, 1888, to 3rd December, 1889; whether he was aware that Charles Sheard was discharged from hospital in a helpless and penniless condition; and, whether, under the circumstances, the pension of £9 2s. can be paid to this man?

*LORD G. HAMILTON: The circumstances of the case are as stated in the question. Charles Sheard served in the Royal Marines for three years only, the disease for which he was invalided and finally discharged from the service being medically certified as "not attributable to the service." The sole pecuniary compensation payable for this short service is 6d. a day for nine months—about £7. When pensioners are admitted to hospital, or, as in the present case, when they are already in hospital and are allowed to remain there after becoming pensioners, the pensions are checked as a contribution towards their maintenance. Sheard was permitted to remain in Haslar Hospital at considerable expense to the Crown for nearly a year and a half after he became a pensioner, and thus received in kind five or six times the small amount of compensation due to him. His present sad condition is much to be deplored, but the regulations governing the award of pensions and gratuities are precise on the subject, and do not admit of any further assistance being afforded.

MR. BRADLAUGH: Have the Admiralty power to make a grant in the nature of charity in a case of this kind?

*LORD G. HAMILTON: I am afraid that we have no power in this case. Where it is proved that a man has become incapacitated from exceptional exposure, there is power to do so, but there is no power unless it is certified that the disease arose out of the service in which the man was engaged.

MR. BRADLAUGH: Seeing that Sheard suffered from the climate of Kurrachee, will the noble Lord inquire into the case?

*LORD G. HAMILTON: I will make inquiries.

CIVIL SERVICE—SECOND DIVISION CLERKS.

MR. TUITE (Westmeath, N.): I beg to ask the Secretary to the Treasury if he will consider the case of those Second Division Clerks now serving in six-hour offices who have been promoted since the publication of the Commissioners' Second Report under the Treasury Minute of December, 1886, with a view to granting them, if possible, on the conversion of the office day into seven hours, the additional £15 per annum enjoyed by Second Division Clerks already serving in seven-hour offices who have been promoted under exactly similar circumstances?

MR. JACKSON: I beg to inform the hon. Member that the attention of the Treasury has been drawn to the point raised by him, and it is under their consideration.

UNVACCINATED PUPIL TEACHERS AT LEICESTER.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education if he can state by what law the Education Department was empowered to refuse recently to sanction the engagement by the Leicester School Board of two girls as pupil teachers, because, though otherwise qualified, they were unvaccinated; whether the Department is aware that vaccination is practically obsolete in the borough of Leicester; and whether the School Board is to be compelled to go outside the borough for its pupil teachers?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Every candidate for the office of pupil teacher is required by the Code to produce a medical certificate in a form prescribed by the Department. If that certificate, which has now been in use several years, and has been approved by successive Administrations, does not show that the candidate has been successfully vaccinated, it is the practice of the Department to refuse to sanction the engagement, and I know of no reason why an exception should be made in favour of a particular town.

MR. PICTON: Is the right hon. Gentleman aware that last year scarcely 2 per cent. of the children born in Leicester were vaccinated?

*SIR W. HART DYKE: No representations to the effect have been made to me.

POSTMEN'S WINTER CLOTHING.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Postmaster General if any complaints have reached him as to the alleged inferior quality of winter clothing supplied to rural postmen; and if he can arrange

that the same quality of winter clothing be supplied both to rural and urban postmen?

THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): No complaints have reached me as to the alleged inferior quality of the winter clothing supplied to rural postmen. Indeed, I have reason to believe that the clothing is, on the whole, very satisfactory, and in these circumstances I see no reason for making any change. But if the hon. Member can supply me with any evidence to the contrary I shall be ready to consider it.

IRISH LANDLORDS.

MR. HOWORTH (Salford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has any information which he can give to the House as to whether landlords in Ireland, who have been selling their farms recently, have also sold or are selling their houses and demesnes, and consequently withdrawing from the country; and whether he can furnish a Return to the House on the subject?

MR. A. J. BALFOUR: Under the existing Ashbourne Act no landlord can sell his demesne or house unless it is already let to a tenant. I am making inquiry as to whether any such cases have occurred, and will let my hon. Friend know the result.

THE REGISTRAR OF THE DUDLEY COUNTY COURT.

MR. BRADLAUGH (Northampton): I beg to ask the Attorney General if he can state the date of the appointment of the present Registrar of Dudley County Court?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The Registrar of the Dudley County Court was appointed in August, 1889, and in his case the estimate of the receipts at present only amounts to about £900 a year. Notwithstanding that fact, arrangements are under consideration for bringing him within the operation of the Act.

TREASURERS TO LOCAL BOARDS.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Attorney General whether a member of a banking firm who acts as treasurer to a Local Board is debarred, by Clause 64, Schedule II., of "The Public Health Act, 1875," from being a member of that Board; and whether the provision

> "That no member shall vacate his office by reason of his being interested in the sale or lease of any lands or in the loan of money to the Local Board,"

is to be understood to remove any disqualification which might appear to be established in such a case by the first portion of the clause?

SIR R. WEBSTER: I am unable to answer the hon. Member's question. The answer depends on facts which are not stated in the question, and without information as to them no definite opinion can be formed.

THE ASBESTOS COMPANY.

MR. CUNINGHAME GRAHAM (Lanark, N. W,): I beg to ask the Attorney General if he proposes to take action on the Memorial presented to him on 13th December, 1889, by Messrs. Meyer and Stackelschiel, in which Memorial certain grave charges are embodied against Messrs. Bell and Co. (Asbestos Co.)?

SIR R. WEBSTER: I am unable to trace the Memorial referred to in the question of the hon. Member. My official clerk is absent from ill-health, and until he returns I cannot ascertain if it was ever presented to me. I have learned from the Director of Public Prosecutions that he has no record of it. If the hon. Member will communicate with me I will make full inquiries into the matter.

VESSELS WAITING FOR GUNS.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether the whole of the vessels specified in a Return, dated the 18th June, 1889, as waiting for guns, have now been supplied with their complete equipment; if not, when they are likely to have them?

*LORD G. HAMILTON: Practically, two only of the vessels specified are waiting for their guns. (1) *Aurora*—the last gun of this vessel has passed proof, and will shortly be delivered; (2) *Sans Pareil*, whose armament will be complete, we believe, by June.

OFFICE OF WORKS CONTRACTS.

MR. LAWSON (St. Pancras, W.): I beg to ask the First Commissioner of Works whether, in October last, tenders were invited for certain works of re-gilding, polishing, and upholding chairs, sofas, &c. in the Foreign Office, on the following terms:

"The work to be done on the premises of the firm contracting, by competent workmen, that it was not to be sublet, and to be subject to critical inspection after completion and before approval and acceptance;"

whether certain chairs were removed from the Foreign Office for inspection, prior to the competing firms generally seeing the work and giving in their estimates, thereby affording an advantage to those who may alone have seen them; and whether the tender of the firm of Messrs. Jinks and Wood, of Berners Street, was accepted; and, if so, whether he is aware that, with reference to the re-gilding of the chairs, the terms of the contract have been evaded by that portion of the work having been sublet to a firm accused of paying the lowest prices, and by them again sublet to individual workers at competitive rates of payment; if so, whether he will take such precautionary steps as will prevent the recurrence of such practices in the future?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): The answer to the first paragraph is in the affirmative. As to the second paragraph, it is true that some chairs were removed from the Foreign Office before tenders were invited for their repair, not so as to give an advantage to any special firms, but in order to take the advice of Messrs. Holland, who had originally supplied the chairs, as to the best way of dealing with them. The chairs were not shown to Messrs. Jinks and Wood, of Berners Street, the firm who got the contract, until after the tenders had been invited. As to the third paragraph, Messrs. Jinks and Wood have written to me as follows:—

"The gilding was done in our own workshops, under our personal supervision, by competent workmen regularly employed by our firm, who were paid weekly wages at the ordinary rates recognised as fair in the trade;"

they say also that the charge of subletting at competitive rates is entirely without foundation, the work having been given out as day work, not piece work, in the regular way, to skilled workmen, who were only called upon to do a fair day's work for a full day's pay. I may add that the work was, from time to time, inspected at Messrs. Jinks and Wood's workshops by officers from my Department.

BUSINESS OF THE HOUSE.

DR. FARQUHARSON (Aberdeenshire, W.): I wish to ask the First Lord of the Treasury when the Army Estimates will be taken, and what the business of the House will be next week?

MR. PICTON: When does the right hon. Gentleman expect to take the Tithes Bill? It is down for Monday, but, of course, it cannot come on then.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I shall be able to give the hon. Member for Leicester (Mr. Picton) a definite answer, if he can tell me when the Estimates which are required for the year will be agreed to. It will be impossible to take the Tithes Bill until the Votes are passed. The Army Estimates will be taken on Thursday next, and the Navy Estimates on the following Monday. I trust that the Debate on the Report of the Special Commission will conclude on Monday, and I think it will be for the general convenience of the House if I move to suspend the Twelve o'clock Rule for that night only.

MR. J. MORLEY (Newcastle-upon-Tyne): What facilities does the right hon. Gentleman intend to give for the discussion of the Motion of my right hon. Friend the Member for Mid Lothian (Mr. Gladstone), relating to the ruling of the Chairman in Committee of Supply last Friday?

*MR. W. H. SMITH: The right hon. Gentleman must understand that the Army and Navy Votes and the Vote on Account must be taken before the end of the financial year. When these Votes are disposed of, I shall be glad to put myself in communication with right hon. Gentlemen opposite with a view to fixing a day for the discussion of the Motion of the right hon. Gentleman the Member for Mid Lothian.

NEW MEMBER SWORN.

Thomas Henry Bolton, esquire, for St. Pancras (Northern Division.)

NOTICE OF MOTION.

THE SPECIAL COMMISSION (1888) REPORT.

MR. JENNINGS (Stockport): I beg to give notice that in the event of the Motion of the First Lord of the Treasury becoming a substantive question, I shall move the addition of the following words:—

"And further that this House deems it to be its duty to record its condemnation of the conduct of those who are responsible for the accusation of complicity with murder brought against Members of this House, discovered to be based mainly on forged letters, and declared by the Special Commission to be disproved."

EAST INDIA (ABKARI).

Address for—

"Copies or Extracts of the Correspondence relating to the Administration of the Abkari Department (in continuation of Parliamentary Paper, No. 194, of Session 1889)."—(*Mr. Caine.*)

ORDERS OF THE DAY.

SPECIAL COMMISSION (1888) REPORT.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment [3rd March] to Question—

"That, Parliament having constituted a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons, and the Report of the Commissioners having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matters referred to them; and orders that the said Report be entered on the Journals of this House."—(*Mr. William Henry Smith.*)

And which Amendment was—

"To leave out from the first word 'House,' to the end of the Question, in order to add the words 'deems it to be a duty to record its reprobation of the false charges of the gravest and most odious description, based on calumny and on forgery, which have been brought against Members of this House, and particularly against Mr. Parnell; and, while declaring its satisfaction at the exposure of these calumnies, this House expresses its regret for the wrong inflicted and the suffering and loss endured, through a protracted period, by reason of these acts of flagrant iniquity,"—(*Mr. W. E. Gladstone,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

*(4.5.) MR. JUSTIN M'CARTHY (Londonderry): Mr. Speaker, I may say that I heard with intense satisfaction the Notice of Motion which has just been given by my hon. Friend the Member for Stockport (Mr. Jennings). It is particularly gratifying if it only shows that there is at least one independent Member on the other side of the House—and that there are more, we shall probably learn hereafter—who has the honesty to declare his conscientious convictions. I am afraid that it will be my duty for a short time to detain the House by some reference to the missing cash books of the London National League. There were two sets of books kept in the London National League office. The first were the regular weekly books containing an account of everything that was done and every order that was made. I am told that every one of those books was sent in to the Commission, and that they were all under the scrutiny of the Judges and of the Court. Therefore, every order that was made which the cash books would record has been under the scrutiny of the three Judges. I am told that one of the cash books is missing. How it comes to be missing I am not able to explain, nor is the Secretary of the National League. He is convinced that when he came into his present office every single book belonging to the National League was in his custody and possession. One of the books may have been lost in transferring the business from one set of premises to another. But neither that book nor any other contained one single entry or one single Minute which could reflect the slightest discredit upon the work of the League, or be of any assistance whatever to hon. Members opposite who are desirous of detecting some complicity with crime. The present Secretary of the National League came into office since I ceased to be President of that Body. Before then, the Secretary was Mr. Frank Byrne; after whom came Mr. M'Sweeney, who is since dead, and he was succeeded by the gentleman who still holds the office. I mention this matter in order to divest this loss of a single book of all the glamour

and mystery with which the fact has been surrounded. Business of grave and serious importance was conducted in connection with the Irish League in Dublin. Upon the Irish League devoted the organisation of the whole agrarian movement. Money had to be found for the defence of tenants against eviction, to supply the means of sheltering evicted tenants against storm and rain—it had not only to feed the hungry and clothe the naked, but sometimes it had to provide funds for the burial of the victims of the landlord and the emergency man. These were the functions of the officers of the Dublin League, and sometimes they had even to deal with disorder. Our business in London was very different. We had merely to look after the registers, to arrange for election contests, to arrange for public meetings in various parts of the provinces, and for the sending down of lecturers into the country. We controlled no large amount of funds. At no time were we in quite a self-supporting position, and occasionally we had to borrow or beg from the Dublin League for the purpose of carrying out our organisation. Therefore we could have had nothing to conceal from the eye of the community in general. During the years that I was President of the London League I attended its meetings with great regularity. I was seldom absent, and I am in a position to say that neither in regard to the proceedings at any of the meetings, or in the records which were made of them afterwards, was there a single sentence which might not be placed before this House, or read aloud at Charing Cross. Let me turn now to the charges and allegations upon which the Judges have delivered their Report, and allow me to call attention to one passage in the Report which I think has not been criticised and emphasised as much as it deserves to be in the course of these debates. I refer to the charges concerning the murders in the Phœnix Park. The Judges say at page 57 of their Report:—

"The seventh and eighth heads under which Sir Charles Russell has grouped the charges and allegations relate to the Phœnix Park murders. The seventh is 'that the Invincibles were a branch of the Land League, and were organised and paid by Egan, the treasurer of the Land League.'"

"This," the Judges say,

"Does not appear to be founded so much on the *Times'* articles in *Parnellism and Crime* as on passages in the Attorney General's speech in 'O'Donnell *v.* Walter.'"

It is very difficult indeed to discover what the exact capacity of the Attorney General was in connection with the Commission. Sometimes he appears as the Attorney General; sometimes as counsel for the *Times*; and sometimes as a Member of this House. He is not, indeed, three single gentlemen rolled into one, but one single gentleman rolled out into three. He reminds me of Molière's play of *The Miser*, in which we are told that the miser kept but one servant, and he was a man who performed the duties of cook, butler, and gardener. If the master wanted to rebuke the butler for a fault committed by the gardener he found that it was done by the cook, and if he wanted to complain of the cook for something done in the kitchen he was referred to the gardener, who, with his shirt sleeves rolled up, was engaged in setting plants, and declined to be responsible for anything else. The Report goes on to say—

"We do not think it necessary to set out these passages, as we find that the Invincibles were not a branch of the Land League, and that the Land League did not organise or pay the Invincibles, nor did the respondents or any of them associate with any persons known by them to be employed in the Invincible conspiracy."

Now, I want to know if the Attorney General, in any of his capacities, has ever used any expression of regret for having made additional charges on his own account, and for the malignant stroke which he undoubtedly made off his own bat. The Report proceeds to say—

"There are passages in the articles included in *Parnellism and Crime* which Sir C. Russell construed as justifying the eighth head of his summary of the charges, that Mr. Parnell was intimate with the leading Invincibles; that he probably learned from them what they were about when he was released on parole in April, 1882; and that he recognised the Phœnix Park murders as their handiwork; and that, knowing it to be theirs, and partly for his own safety, he secretly qualified and revoked the condemnation which he had thought it politic publicly to pronounce."

The Judges dispose of that defence, and they say in clear and unmistakeable terms that Sir Charles Russell put an accurate interpretation upon the language used. Let me read a small portion of the language used, and show the House what it

was that the *Times* said. The Judges say:—

"This is based upon the following passage of the *Times* article of 10th March, 1887:—Mr. Parnell was liberated on parole on 10th April, 1882, to attend his nephew's funeral in Paris. He was late for the funeral, but he passed several days in Paris and in London. Messrs, Egan, Sexton, and Healy happened to be in the French capital, while Mr. Justin M'Carthy, the Chairman, and Mr. Frank Byrne, the general secretary of the League, in this country (under its then alias of 'The National Land and LabourLeague of Great Britain') went out to meet the Irish mail at Willesden the evening of their leader's release; Mr. Frank Byrne, indeed, 'was the first to enter the compartment and greet Mr. Parnell, whom he warmly shook by the hand. That gentleman appeared delighted at seeing him,' and expressing (sic) his satisfaction at meeting him. But Mr. Parnell had the inexpressible mortification of informing his friends in both cities, that his parole bound him to refrain from politics. His honour, indeed, was the sole obstacle to the most exhaustive discussion of all pending transactions between the confederates. The heads of Mr. Parnell's several organisations were at hand. They had many vital secrets on their minds. They had every facility for private conference with their chief. All of them were not distinguished by a chivalrous regard for truth. But on the 24th, Mr. Parnell returned to Kilmainham, his pledge, we are assured, inviolate in letter and in spirit. He had his reward. He was definitely released on the 2nd of May, and hastened to London with his liberated lieutenants. On Saturday, the 6th of May, he escorted Michael Davitt from Portland prison to town. At Vauxhall the chiefs were met by Mr. Frank Byrne and other favoured disciples. The same evening, Lord Frederick Cavendish and Mr. Thomas Burke were stabbed with amputating knives in the Phœnix Park. The knives were brought to Dublin for the purpose by a woman, whom one of the principal assassins believed to be Frank Byrne's wife. The shock to the public conscience was tremendous. On the Sunday, Davitt drew up a manifesto recording his own horror and that of his co-signatories, Messrs. Parnell and Dillon, at the deed."

Now, let me ask hon. Members on the other side of the House is there any other possible interpretation of this article in the *Times* than that Mr. Parnell and myself met Frank Byrne with some criminal purpose in our minds to carry out, and that the result of our meeting was shown in the murders which took place in the Phœnix Park? That is the distinct and obvious meaning which, at the time, was sought to be conveyed and it was only at the last moment when no one any longer believed one word of these charges that the *Times* agents and counsel endeavoured to shuffle out of the full responsibility for that passage. Let me read what the Judges say. They say—

"It appears to us that Sir Charles Russell has put a correct interpretation upon the language used. We consider that there is no foundation whatever for the allegation that Mr. Parnell was intimate with Invincibles, knowing them to be such, or that he had any knowledge direct or indirect of the conspiracy which resulted in the Phœnix Park murders; and we find the same with reference to all the other respondents. We do not think it necessary to enter into the question whether or not any persons other than those who were convicted were guilty of participation in those crimes, because we are clearly of opinion that none of these respondents were aware, at the time, that any persons with whom they associated were connected with these murders."

The charge amounted to an attempt at moral assassination, I can find no words to express my detestation of the criminal and cruel levity with which these atrocious charges were concocted and put forward. I read the other day some comments in the *Times* upon a recent debate in which some reference was made to the charges against Mazzini, and in which the writer asked the right hon. Member for Halifax (Mr. Stansfeld) how he liked to hear his friend Mazzini compared with assassins like the Phœnix Park murderers. I think my right hon. Friend will remember that there was a time when he was compelled to hear Mazzini likened to assassins, and when he himself was described over and over again as the accomplice of assassins. At that time the right hon. Gentleman was himself denounced, and it was the *Times* newspaper that denounced him. The hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson) in his amusing and variegated speech yesterday, took occasion to pay a high tribute to a man whom I highly respect—my esteemed friend Mr. Michael Davitt. I think that the right hon. Gentleman the Member for Bury (Sir H. James) in one or two of his speeches has also passed a well-deserved panegyric upon Mr. Davitt, and has even endeavoured to set him up as the real leader of the Irish people. Now, I have observed that the little game of some hon. Members of this House, and of some writers out of the House, is to endeavour to create some sort of division among the Irish Party by setting up Mr. Davitt as the recognised leader against my hon. Friend the Member for

Cork (Mr. Parnell). That little game is not likely to be rewarded by the least success, or to produce even the slightest amount of trouble or confusion either in the mind of Mr. Davitt or my hon. Friend the Member for Cork, or of the Irish people. The Irish people well understand how to respect and revere the sacrifices which have been made and the services which have been rendered both by the one man and the other, but they know that they have found their natural leader, and they intend to keep him. They know what he has done for them, and for their cause, and for their country. They know that he has done what no man ever did before for the cause of Ireland and the Irish people. They know that he has, out of "chaos and old night" brought daylight and order—out of the wreck and welter of many organisations, some for peace and some for force, has constituted a peaceful and well-ordered Constitutional and progressive movement. He has prevailed on conspiracy herself to come out of her subterranean caverns into the light of day, and move in the movement, and work with the instruments, of a peaceful and Constitutional association. The Irish people appreciate these great, these unparalleled services in the man; and the English people are beginning now to appreciate them as well. And as the Liberal Party in England has one leader and knows no other, so the Irish party and the Irish people recognise no leader and will recognise none but the man who has so served them, who has saved them, and who will bring them yet to the triumph of their national cause.

*(4.31.) SIR H. JAMES (Bury, Lancashire): Mr. Speaker, if in the course of this debate any hon. Member should think it right to remind me that I have been an advocate in relation to the matters which we are now discussing, I can assure him that it will be perfectly unnecessary to recall that fact to my mind. I myself regret that, as one who has been an advocate for one of the parties to this inquiry, I should find it necessary to take any part in this debate, and if it had met the better judgment of my hon. and learned brethren to abstain from taking any part in this discussion, I can assure them I should have been glad enough to follow their example. My impression is that we are treading very closely upon that line which contains the Motion of Lord Hotham in 1858, which declared that no advocate should take any part in discussions in this House in reference to any proceeding in which he has been professionally engaged. I must confess, while I hold that view, I think that my hon. and learned Friends who have taken part in this debate have done much to mitigate the bad effects I think may arise. So far as I have heard them I feel they have endeavoured to throw off, as far as possible, the prejudices likely to arise from their position as advocates, and I think they certainly have added to the information which has been conveyed to the House. There is another reason why, if I could have my own way, at least if I could take a different view of my duty, I should have abstained from taking part in this debate. I say at once that to come into conflict, almost into personal conflict, with hon. Members whom I have been in the habit of meeting in the discharge of their public duties afford no pleasure to me. I envied my hon. and learned Friend the Member for Hackney yesterday, when he made his speech, in being able to add to that zeal, which is a part of his nature, the feeling that he was advocating the cause of men who were his political friends and personal associates. But following the example of my hon. and learned Friends, and also because much has been said in this debate which, to my mind, requires notice from me and cannot be passed entirely unheededly, I ask of the House the same consideration to me, an advocate, as has been shown to my hon. and learned Friends, whilst I attempt to put some subjects before the House that I hope will not be framed in a spirit of animosity, but will add something to the information which has already been placed before this House. Of course, the main consideration we have to deal with is, the proposition of the First Lord of the Treasury and that of the right hon. Member for Mid Lothian. If justification of those who will record their votes against the Amendment is necessary, I will ask the House to consider what these two propositions are. Sir, it seems to me there are, with respect to these propositions, only two courses open in order

to deal properly with the Report which has been laid on the Table. If you follow the course suggested by the Government you accept the Report and make a record of it upon the Journals of the House. You might take a different course by accepting the Report presented, and deal with each and every one of the findings. The House might thus express its judgment upon each of these findings, and in so doing accept the view of my right hon. Friend, that palliation and condonation may have entered into the judgment of the House. But there is no middle course between these two procedures, and the error into which my right hon. Friend the Member for Mid Lothian has fallen appears to me to be the result of taking that middle course. He suggests that you should accept the Report, and then pass judgment on certain of the findings only. But if that course were adopted, what would be the record in the Journals of the House in respect of the judgment the House has offered on the Report? It would be an expression of gratification which, ungrudgingly I admit, hon. Members have a right to feel in respect of certain findings. But it would then pass over all the other findings unheeded, so that we should be treating these findings either as unimportant or erroneous. Is it possible for this House, in the face of all the other findings, to say that they are either immaterial or insignificant, and, therefore, we do not express any approval or give any effect to them, or, on the other hand, say these are so badly found that they will not accept them as right? I cannot conceive that it would be a dignified, a logical, or a just course to pursue, to let all the other findings lie where they have fallen as if they were immaterial. There is one satisfaction that should be expressed before we approach the consideration of this Report. I may remind hon. Members that prophecies were made that no impartial judgment could proceed from these learned Judges The House will remember that scurrilous and gross abuse was poured upon each and every one of these Judges, and they were held up almost to execration. It is a matter on which I offer congratulations to those who differ from me in regard to this question that my right hon. Friend the Member for Mid Lothian felt himself able to offer much praise to the Judges, and I thought that his mind was hovering over the word "impartial." But that word did not fall from him. But my hon. and learned Friend the Member for South Hackney, who was better able to repair the omission, if omission there were, used that word, and said that the judgment was the impartial judgment of men whom my right hon. Friend described as being most anxious and desirous to perform their duty. If this be so, it is impossible for us to deal with the findings as if they were lightly found. You may in respect of palliation and condonation, as my right hon. Friend said, go behind or beside these judgments, but these judgments determine facts; and until you can get rid of them by matter extraneous to the evidence brought before the Commission, or until, like the right hon. Gentleman the Member for Wolverhampton, you ask for a new trial, you must accept the findings of the Court, and proceed to deal with them. I do not wish to enter into unnecessary detail as to the findings of the Judges. I should have refrained from going into the matters dealt with in the inquiry had it not been that certain observations are forced from me by statements made in the course of the debate. May I remind the House that there are certain findings the gravity of which no human being can doubt. Even those who sit below the Gangway will admit that this, for instance, cannot be regarded as a light finding:—

"We find that the speeches made in which land-grabbers and other offenders against the League were denounced as traitors, and as being as bad as informers, the urging young men to procure arms, and the dissemination of the newspapers above referred to, had the effect of causing an excitable peasantry to carry out the laws of the Land League even by assassination."

How are we to treat the finding which I will now read?—

"We find, as to the allegation that the respondents did nothing to prevent crime and expressed no *bonâ fide* disapproval, that while some of the respondents, and in particular Mr. Davitt, did express *bonâ fide* disapproval of crime and outrage, the respondents did not denounce the system of intimidation which led to crime and outrage, but persisted in it with knowledge of its effect."

I give these two as a sample. If we accept the Amendment of my right hon.

Friend, what is this House about to say to these two findings? Are we to say that we regret that these two findings should be placed on the record? I cannot think that any Member of this House will venture to say that they are immaterial. Are we to go behind them and say that they are wrongly found? But when we delegate certain powers to these Judges—as we did to Election Commissioners in 1868—we are bound to accept their findings, and not to go behind them. Having admitted that these Judges have done their duty to the best of their ability and have impartially discharged their task, can we go behind their findings? If I be right in so tracing the steps of this inquiry, how are we to discharge our duty? Do we not, when we are asked to declare these findings immaterial, narrow the question to whether there is palliation and condonation to be found arising out of the circumstances existing in Ireland sufficient to cause us to say no censure is to be applied to those who have been found guilty of having so acted? I sincerely wish that I knew where the grounds for this palliation and condonation are to be found. I listened to the speech of my right hon. Friend the Member for Mid Lothian, charmed by his eloquence and astonished by his energy, and I heard the grounds of condonation which he submitted to the House. The right hon. Gentleman's ground was that Lord Carnarvon had entered into negotiations with the hon. Member for Cork City. Admitting all the right hon. Gentleman's facts, what power, I ask, has Lord Carnarvon to grant condonation? The offences mentioned in the Report are offences against the community, principally and mainly against the Irish people, and what power has Lord Carnarvon or any human being to condone such offences? If these charges dealt with in the Report are established, how can it be suggested that because an individual or a number of individuals entered into negotiations for the purpose of securing a Party advantage—I do not say that this was done, but supposing for the sake of argument that it was—how can it be suggested that such action can condone grave offences against the community and against society? Then we are told that no heed is to be taken of these findings, and that the justification of the acts done is to be found in palliation. I think we should understand what palliation is. It cannot convert a wrong into a right. In consequence of it you may mitigate the *quantum* of condemnation, but the condemnation must be put upon record before you can take note of palliation. Now I proceed to consider whether it is true that palliation can be found in the events that occurred in Ireland at the time when these offences were committed. The supporters of the Amendment say, "You are here dealing with a combination and not with individuals, and there is a vast difference between the two cases." From that view I must dissent. Persons who are engaged in questionable transactions cannot get rid of their liability by forming themselves into a Joint Stock Company and becoming directors of that company. They cannot say, "We exist as a corporation and are not liable individually." It is true that the Land League was a combination—a *quasi* corporation, if you will—but the men who acted as managers, controlling it and taking an individual part in carrying out its objects, cannot on that ground claim immunity from blame. It was said that what occurred under the *régime* of the League was only the natural or incidental accompaniment of a revolutionary movement, and it is said that no revolutionary movement has ever taken place without sad incidents which men would regret. Lord Montagu and the movement with which he was connected have been referred to, and it has been said that he did not take upon himself the duty of detecting or reprobating crime; but surely that instance is not parallel with that with which we are concerned. Revolutionary movements have, I know, been accompanied by incidents which those engaged in them have regretted. You will find in warfare, even when an army is most strictly controlled, that the camp followers commit acts of outrage and spoliation which the general in command would at once check if he could. That is a very different case from one in which the general commanding-in-chief, knowing of the outrages that are being committed, does nothing to check them, and the captains in command of the guard actually rouse men to perpetrate further outrages. Lord Montagu, as far

as I know, never said one word to foster crime, and had no power of detecting or checking it. My hon. and learned Friend the Member for Hackney (Sir C. Russell) more than once drew the attention of the Commissioners to the fact that there were two powers in Ireland in the years 1879, 1880, 1881, and 1882—one the authority of the Queen, which ought to have been paramount, but was nominal and helpless; the other the authority of the Land League, all powerful and all controlling. It was my hon. and learned Friend's boast that behind the Land League was the will of the people, and that that was the reason of its power and triumph. If this were so, how can it be said that what are called the "incidents" of the movement were incidents which the leaders deplored when they did nothing to check them? My hon. and learned Friend told us yesterday that this powerful body came into existence out of the necessity of the time, because men were starving and that there was great distress. Sir, distress had very little to do with the existence of the Land League. Who designed the Land League? It was designed by one man in the solitary hours of his imprisonment in Dartmoor, at some time before the end of 1877. What had distress to do with that design? Mr. Davitt knew nothing of the condition of Ireland at the time, and moreover, there was no distress in 1877. 1876 was, perhaps, the most beneficent year Ireland had ever known, and 1877 was a year full of benefit to the people. In that year the Land League was designed. There was no distress until 1879, and that distress did not cause the Land League to come into existence. Advantage was, it is true, taken of that distress; but the Land League did not spring naturally from it. The hon. Member for the City of Cork (Mr. Parnell) has said—

"Davitt took advantage of the distress in 1879 to place the League before the people."

Passing on to 1881 and 1882 we find that the harvests were above the average, and there was no distress in Ireland of abnormal character, yet then it was that the Land League grew, as Mr. Davitt says, "in the hands of the politicians." What now becomes of the argument that the people were driven to commit criminal acts by tyranny, misery, and starvation? No; it was not the people that were rising; it was the people that were being roused. They had to be greatly influenced before they would act as the leaders of the League wished. We have Mr. Matthew Harris's testimony to that effect. He said—

"Our peasantry in Ireland, the farming classes, were in a very dormant, low, enslaved condition. And if we had not worked with great energy, and appealed to every feeling and every sentiment that would rouse them up, we could never have brought the Land League beyond the point to which Mr. Butt had brought it in his old drag-along movement."

The hon. and learned Member for Longford (Mr. T. Healy), making a speech at Chicago, said—

"Why was it that we did not believe in the No-rent manifesto? I am in favour of no-rent, not merely as a temporary policy, but for all time. But the consideration of our men was this, is it expedient? And we considered that it was not expedient, because we did not believe that our people at that time were worked up to it, and we would adopt no policy which would lead to disaster or defeat."

I am endeavouring to find how it was that the population came to commit crime. Was it because they were starving? I say no. It was because they were roused by these numerous speeches from political agitators. The hon. Member for Longford here says that at that time the people were not yet up to the standard of agitation. Thus we see that it was not an upheaval from below, but a movement proceeding from above, due to political agitation, endeavouring to stir up action which would otherwise have remained dormant. I have one quotation more to show the power of the Land League at this time. Mr. Matthew Harris did not represent the Land League as being helpless in this matter. He and his friends did not represent the crime that was being committed as a circumstance to be deplored, and one which they were unable to control. Mr. Harris said—

"It was an understood thing among the leaders of the movement, I may tell you in relation to this—with Egan and myself and Mr. Davitt—that at the time of the State trials, which was early in 1881, we would pursue a more moderate policy."

What was meant by "a moderate policy?" Why, a more moderate policy meant abstention from agitation, which would have created comparative peace and absence from crime in Ireland. But in

consequence of the State trials we are told that that more moderate policy was not pursued. No, it was the policy of the Land League at this time, as, indeed, has been declared by Mr. Davitt, to keep Ireland in a state of unsettlement. But how was Ireland to be kept in a state of unsettlement by those who had the control of the Land League? It was not by bringing about the passing of a Land Act which was regarded as opposed to the principles of the Land League. It was not by allowing landlords and tenants to come together and arrive at mutual agreements. It was not by allowing tenants to enter the Land Courts and have just rents fixed. That would not have kept Ireland in a state of unsettlement. The object was to be achieved, not merely by preventing the impoverished tenant from coming to terms with his landlord, but also by preventing the solvent tenant from paying his rent. I wish I could picture to the House the condition of Ireland during the years from 1879 to 1882. It is not only to be found in the record of statistics of crime, showing between 4,000 and 5,000 agrarian offences in one year. That does not tell the tale of suffering and misery which prevailed in many a household in Ireland. The country at this period was in a most deplorable condition. Yet I heard my right hon. Friend the Member for Mid Lothian (Mr. Gladstone) state in this House the other evening that that which was occurring in Ireland at this time was "the outcome of the contest between liberty and tyranny." That was the justification which the right hon. Gentleman found for hon. Members who were the respondents before the Commission. I ask, if this was so, who were the oppressed? Were they the members of the Land League, who at this time could set the Queen's authority at defiance, and had the virtual control of the lives and property of the tenants of Ireland? And who were the tyrants? If the oppressed sit there (below the Gangway) the tyrants are those who are now sitting here (on the Front Opposition Bench.) Who were the tyrants? [An hon. MEMBER: You were one of them.] Yes; that is just the point. I think I was no tyrant. I was but performing a task imposed on me by the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone). I was not Prime Minister. I am looking round for my right hon. Friend the Member for Derby (Sir W. Harcourt). He was another tyrant, a very sample tyrant. And if the right hon. Gentleman the Member for Sheffield (Mr. Mundella) were here now, we might see him posing for the first time as a tyrant. The argument of the right hon. Gentleman the Member for Mid Lothian is that this crime was the result of the tyranny under which the Irish people suffered while he was at the head of the Government. Against that view I must enter my respectful protest. It would be presumption on my part to say one word as to the position which my right hon. Friend occupied at that time, not only in this country, but throughout the world. The right hon. Gentleman was head of the Government during the years 1880 to 1882, and if any one had charged his Government with being a Government of tyranny, he would have repelled the accusation as a libel. I wonder, after the right hon. Gentleman's declaration of last Monday night, what the entity we hear so much of, the civilised world, will think of this country in the years 1880 to 1882. I have formed a far different judgment of my right hon. Friend the Member for Mid Lothian than he expresses himself. I had believed until last Monday night that my right hon. Friend had done more than any other statesman to elevate the name of England amongst the nations of the world. We have had statesmen supporting a spirited foreign policy. In the last century Lord Chatham, in the earlier days of this century Mr. Canning, in more recent times Lord Palmerston asserted the name and the position of England among the nations of the world; but I believed that my right hon. Friend the Member for Mid Lothian, when he brought the rays of freedom to the Italian captives at Naples, when the echo of his words brought more than hope, brought protection, to the Christian subjects of the Porte, and when he protested against our ravaging Afghanistan, had done more to lift England high on the ladder of liberty than any of the statesmen who, by force of arms, or by loud words, had asserted the authority of this country. But this vision is shattered, this view of the right hon. Gentleman falls to the

ground, if this theory be true; for he tells us that his Government was a Government of tyranny; that he with popular opinion at his back, and a majority that followed him as devotedly as his followers follow him now, was a tyrant imposing a tyranny upon the people of Ireland so grievous that it caused them to rise as an oppressed people. But I will have none of this. This record does not belong to the Liberal Party. It is true that hon. Gentlemen below the Gangway at the '85 Election attacked the Liberal Government because they had been a Government of coercion. But what do they say of their great leader now? Do they charge him with being the tyrant of Ireland who caused the people to commit crime? I must say that as a former follower of my right hon. Friend I heard with the deepest regret the argument, the hypothesis, that he who had led and we who had followed had been acting as tyrants oppressing the Irish people. I have to pass hurriedly on, because I do not wish to unduly occupy the time of the House. I have to pass on quickly to other matters, and I regret I should have necessarily to refer to topics mentioned in the debate. I have no complaint to make of the speech of my hon. and learned Friend the Member for Hackney (Sir C. Russell). Far from it. He made one personal reference which I should pass unnoticed if it were not that it bears upon an important matter that affects the whole of this Report. He admits that the evidence of one witness was new, and was not known to any one in 1882 and 1883, when some of these subjects were discussed—I mean the evidence of the man whom my hon. and learned Friend called Beech or Le Caron. I agree with the hon. and learned Member that if Le Caron's evidence were struck out much of the Report would go with it. It is therefore material to see whether this man spoke the truth or not; and I was somewhat astonished to find that my hon. and learned Friend's words might lead to the idea that there was a doubt to be cast upon Le Caron's evidence. The right hon. Gentleman the Member for Wolverhampton (Mr. H. Fowler) directly imputed perjury to Le Caron; and my hon. and learned Friend the Member for Hackney suggested that I had, with something like the skill of a Court milliner, clothed Le Caron with the patchwork of my rhetoric. I did defend Le Caron. I had to defend him, and I intend to defend him, and I will tell the House why. In the course of the inquiry before the Commission my hon. and learned Friend the Member for Hackney complained that Le Caron had betrayed the secrets of the assassins of the Clan-na-Gael, who were plotting the destruction of English life and property, and spoke of his life as being a living lie. This is what my hon. and learned Friend said with regard to Le Caron—

> "Surely the state of society has something faulty in it when the employment of such a man as Le Caron can be defended or can be necessary. His life was a living lie. He was worming himself into the confidence of men presumably honest, however mistaken in their views, only to make money and to betray them."

The view I take of these words of my hon. and learned Friend is that they really do not convey his meaning. I will not admit that there is any man in this House who will say he regards these assassins, these cowardly assassins, these inhuman assassins, as "presumably honest." I stated before the Commission that the view I take of his language is that I do not suppose my hon. and learned Friend intended to defend assassins, or to utter one word unbecoming to him as the high-minded English advocate I know him to be. But he did attack Le Caron. What for? Some hon. Members have said because he was a perjurer, who had taken an oath not to betray the secrets of these assassins. I will not discuss here whether it is justifiable for a man to take a promissory oath he does not intend to keep. I will leave that question to the moralists and casuists, who say that evil may be done that good may come of it. I will leave that question to the men who take the oath of fealty to a confederacy pledged to destroy the Government of the Queen and to establish by force a Republic in Ireland, and who then enter this House and take the oath of allegiance to the Sovereign. [*Cries of* "Name."] Hon. Gentlemen ask me for names. I refer them to the records of this inquiry. [*Renewed cries of* "Name."] All I will say is that there are Members of this House who have done as I have said. If fault there be in breaking a

promissory oath, under all circumstances such is the fault of Le Caron; but what did he do? For 20 years he carried his life in his hand, for any indiscretion either on his part or that of any official might have betrayed him to certain death, and all this that man did on behalf of every loyal subject in the Kingdom; he did his best to frustrate the object which these assassins had in view. I have but one word more to say on this matter. Is public life now for Party purposes to be degraded to the level to which this attack upon Le Caron brings it? English statesmen hired him, English statesmen used him, and English statesmen paid him; and is it to be that the English statesmen who employed him and who paid him will cheer the speaker who attacks Le Caron for what he did? Sir, I did defend Le Caron, and I shall do all in my feeble power to defend him now; and I say I would rather occupy the position of Le Caron, objectionable as it is, than I would occupy the position of the "presumably honest men"—the assassins whose safety we are asked to defend and protect. I will not attempt to draw any comparison between Le Caron and the men who first hire him, then pay him, and afterwards denounce him. One word now as to the right hon. Member for Wolverhampton. With strong emphasis and bold assertion the right hon. Gentleman has told the House that the judgment of the Commissioners is wrong. He disbelieves Le Caron. My right hon. Friend never saw Le Caron and never heard him in the witness-box. Has he read his evidence?

MR. H. H. FOWLER (Wolverhampton, E.): Some of it.

SIR H. JAMES: Just so. Here are the Commissioners, who heard everything, who saw Le Caron in the witness-box, uncross-examined by Mr. Davitt, and who found corroboration for his evidence step by step. On the other hand, my right hon. Friend, who has only read some of the evidence, asks the House to accept his opinion against those of the Commissioners. Let me point out upon what uncertain premisses the right hon. Gentleman has given his judgment. He speaks of the improbability of the conversation taking place which Le Caron says he had with the hon. Member for Cork. Does the right hon. Gentleman recollect that Le Caron came with an introduction to Egan from Devoy, and that he came as the representative of the Physical Force Party in America? At that time there was no activity amongst the Irish in America, except in the ranks of the Physical Force Party, and they had to be kept on good terms with the Constitutional action in this House. How was that to be done? It was not by telling them—"We will have no dealings with you." What was more probable, having regard to what was known of the connection between the Constitutional Party here and the Physical Force Party in America, than that the hon. Member for Cork would send a message which would be acceptable to them? It was a matter of diplomacy for the hon. Member for Cork to use words which would be acceptable to the Physical Force Party, in order to obtain their support. There was no improbability in the conversation taking place. Moreover, it was corroborated by the fact of the message being delivered; and I do not think that any person who reads the proofs will doubt that throughout his evidence Le Caron spoke nothing but the truth. Then there is the fact that the documents of the Glan-na-Gael, produced at the inquiry, were not produced then for the first time. They had been sent day by day to this country for many years past. It was not even suggested by my hon. and learned Friend the Member for Hackney that there had been any tampering with these documents. So far as the action of the Clan-na-Gael is concerned, and the body of men combined for the purpose of assassination, and who supported the Skirmishing Fund, the case rests, to a great extent, upon the evidence of Le Caron. Is the House, after having delegated to the Commissioners power to inquire into and report upon all these matters, to go behind the verdict of the Judges, and to say, with the right hon. Member for Wolverhampton, that the Judges have come to a wrong conclusion, and that the House is better able to arrive at a right one? Now, I pass from these men to the presumably honest men. I hope it will be understood I have been speaking in respect of the action of men in America, of those men who represented—and more than represented, who advocated—assassination and the use of dynamite. There

is a finding in the Commissioners' Report to the effect that newspapers were circulated—*United Ireland*, the *Irishman*, and, above all, the *Irish World*—which preached the doctrine of assassination and destruction. It has been said from this Bench that it is cant to object to receive money from the *Irish World*, which was a mere conduit-pipe for the collection of money, and that, therefore, the leaders of the Land League in no way identified themselves with the doctrines of the *Irish World*. That depends very much on the facts. I heard that statement with astonishment. When I heard it said that the *Irish World* was a mere conduit-pipe in the collection of money, I remembered the phrase of the hon. and gallant Gentleman opposite, who compared it with the neck of a bottle, which I suppose represented to his mind the most agreeable form of conduit-pipe. But this conduit-pipe occupies a very remarkable position, even if it be the neck of a bottle. We have to deal with something which I should think was very different indeed from a conduit-pipe. Mr. Davitt, a very good witness in this matter, says—

"I cannot forget the unparalleled services which you"—

that is Patrick Ford—

"Rendered to the Land League from its very inception, until its organisation, but not its spirit, was suppressed by the Government of England. Indeed, no truthful historian can read the record of that organisation and its giant assault upon the citadel of felonious Irish landlordism without recognising the fact that the chief inspiration of the movement, its spirit, and most of its financial strength came from the *Irish World*."

Can any description of its position be more different from that of a conduit-pipe when it is described as the inspiration of the movement, in its spirit and its financial strength? It is now said that the *Irish World* was a very objectionable periodical, that it was a mere collector; but on the 2nd of July, 1881, Mr. Quinn, Secretary of the Land League, says—

"We appeal to the lovers of liberty and the sympathisers of suffering humanity to send the *Irish World* to Ireland. The success of the cause is to be measured by the extent of the acceptance of its principles."

And that at a time when it was preaching dynamite and assassination.

"When the *Irish World* is read in every hamlet in every county it will be beyond the power of earth and hell to perpetuate the landlordism in Ireland."

MR. H. H. FOWLER: At what date was that?

SIR H. JAMES: From Mr. Quinn, July 2, 1881. Then Mr. Davitt wrote—

"I do not think Mr. Healy is just to the *Irish World* when he says we would have got the subscriptions (the money sent to the Land League) if the *Irish World* never existed. This I deny. I believe that three-fourths of the enormous sum of money received by the Land League from America was subscribed through the appeals which were made by Patrick Ford in his paper through the instrumentality of the hundreds of branches of the Auxiliary American League, which were organised by the *Irish World*."

Why did the *Irish World* collect this money? My hon. and learned Friend says that it was merely accidental; that the poor Irish people in America and some Americans contributed this money; and that this newspaper was merely the accidental conduit-pipe to receive this money. But the *Irish World* said—

"This money question is a very ticklish one. The reasons why men transmitted money to the Land League through the *Irish World* are these—a dollar sent through the *Irish World* is a significant endorsement of the principles enunciated by the *Irish World*."

Mr. Brennan, on March 19, 1881, says—

"The moral and financial aid which is constantly coming from our brothers in America through the *Irish World* cheers us in our work."

It was this moral aid and the principles of the *Irish World* that collected three-fourths of the money which caused the upheaval of the people of Ireland. And those were the doctrines which were at the bottom of the action and movement and upraising against tyranny carried on in a manner which would be disgraceful to anyone but those who believed in the principles of the *Irish World*. Disjointed I must be. I will not enter into the details of other subjects before the Commission; but there is a matter which has occurred in this debate to which I must refer. My right hon. Friend the Member for Mid Lothian—who opportunely gives me his countenance as I make the reference—will allow me to call attention to one statement in the course of his speech. I have to apologise to the House for dealing with these

details; but as my right hon. Friend thought it worthy of his notice and of the notice of the House I wish to occupy a few minutes with it. The right hon. Member for Mid Lothian referred to the finding of the Commissioners on what has been called the Horan letter, and described it as a trumpery charge. My right hon. Friend said—

"There is another head which may be called the £12 case, spent for the purpose of relieving persons who had been, or were supposed to have been, engaged in committing crime. I think a more trumpery charge to appear in a State indictment than this, standing as it does and supported as it is, it would be difficult to conceive."

I hope the House will permit me to suggest one or two facts which I think will show that that charge was not trumpery. The House will recollect that the papers relating to the League were of a most bulky character. They represented thousands and thousands of communications. They were not forthcoming before the Commission; but one very small portion of them, affecting a very few days in the history of the League, did come into the possession of those who produced them before the Commission, through a person named Phillips. Among those few papers two important documents were found—one is mentioned in the Report. It was addressed "Irish National Land League," and it was written from the "Irish National Land League branch office, Castleisland," and directed to Mr. Quinn at the Central Office—

"Sir,—I beg to direct your attention to a matter of a private character which I attempted to explain to you when I was in Dublin at the Convention. The fact is that one of the men from a shock lost the use of his eye. It cost him £4 to go to Cork for medical attendance. Another man received a wound in the thigh, and was laid up for a month. No one knows the persons but the doctor and myself and the members of that society. I may inform you that the said parties cannot afford to suffer. If it were a public affair a subscription list would be opened at once for them, as they proved to be heroes. One other man escaped a shot, but got his jaws grazed. Hoping you will, at your discretion, see your way to making a grant, which you can send through me or the Rev. John O'Callaghan, C.C.—Yours truly, TIMOTHY HORAN."

That letter, my hon. and learned Friend the Member for Dumfries (Mr. Reid) said, no doubt was intended to refer to men who attempted to commit crime and suffered in the attempt. Mr. Ferguson, a man of great ability and shrewdness, took charge of this matter as one of the executive of the League, and reading this letter he must have known it was an application for money to be paid to men who had committed crime. It was not a matter of charitable assistance; it was an application for repayment of money that had already been paid for medical assistance. Mr. Ferguson, in the course of his cross-examination, said that the executive of the League had had several similar applications, that some were granted and some refused, but none were ever assented to without the permission of the Executive Committee, and that each case was considered as it arose; and then the endorsement £6 to be paid to the man as deserving of the consideration and the assistance of the League represents the results of such regular course of proceedings. My right hon. Friend calls this a trumpery case. I should not so describe it, even if it stood alone, but we have the admission that there were several like cases of men brought into the same position by the commission of crime. There is a second case in which a man named Butterfield asks for assistance on behalf of three men who were in gaol on a charge of intimidation and housebreaking, adding, "They are really deserving." So my right hon. Friend will find that with no assistance from the records of the League, we were enabled by an accident to know how the business of the League was carried on, and to know how those captains of the guards, the executive of the Land League, transacted their business in the offices, and how money was sent to persons who had suffered in the cause. Can that be called a trumpery case? It represents the manner and the method in which the business of the League is carried on, and will anyone say that the finding of the Commission has not been justified by Mr. Ferguson's statement, that it was the habit to consider such applications, and according to their merit to grant sums of money? I have mentioned incidentally the Land League documents, and here I must say one word with respect to the matter to which the hon. Member for Londonderry referred, and I will do so in justice to him. The suggestion was made that certain documents and

records of the Land League had disappeared, or, as my hon. Friend the Member for Dumfries says, had been "dissipated," whatever that may be, and also that certain books of the English Land League had not been produced. That is not a mere, vague, general remark; it is a matter of the gravest import, and it helps to bring home much of the proof against those in charge of the organisation. The matter to which the hon. Member for Londonderry referred arises in this way. The English Land League had as its Secretary the well-known Frank Byrne. It is said that he was connected with the commission of grave crime in Ireland. He kept the books, and among the books was a cash book which contained a record of the expenditure. The steward of the funds must have made a record of what was spent. In 1888 the hon. Member for Londonderry made an affidavit stating that certain books were in his control. And here I wish to say that if it be supposed that any suggestion is made that the hon. Member had in any way departed from the strictest action of propriety or frankness that is a misconception and mistake. The hon. Member was regarded as being simply the legal custodian of these documents, and an affidavit was made by him stating that a cash book running from a certain date to a certain date existed. A solicitor said that he made that affidavit. There are the dates; there is the statement in the affidavit. That cannot be the result of imagination if you have a cash-book running from a certain date in 1881 to a certain date in 1883. And so that affidavit was accepted. A witness came into the box and said that in the autumn of 1882, Byrne, who was Secretary to the English Land League, was in Dublin, and that he saw him with Invincibles and saw him give money to those Invincibles. He also described a conversation about the payment of money, and saw money paid. What could be more conclusive to show that these statements were untrue than to produce the cash book? That book, on the other hand, would have shown expenditure for the journey to Dublin and money spent there, if the witnesse's evidence was true. This cash book could not be produced, and was not produced. Where is the cash book which the sworn affidavit stated was in existence? The solicitor, one of the ablest men I know, said—

> "I am sure I have looked for the books; they are not there, and, therefore, I must have imagined a cash book, and must have put it down as running from October, 1881, to October, 1883, as a vision of the brain."

He said—

> "But there is Mr. Brady, Under Secretary, who will tell you about these books. He took the books away, and he is in Court."

MR. T. HARRINGTON (Dublin, Harbour): If the right hon. Gentleman will excuse my interruption, he did not say he took the books away; he said he got a receipt for the books, and that the books were still in Court.

SIR H. JAMES: I have elsewhere found the hon. Member's memory so accurate that if he corrects me I will accept the correction. Then, upon what the solicitor said, an appeal was made to my hon. and learned Friend the Member for Dumfries who had charge of this particular part of the case, to clear the matter up by calling Brady, and he said, "We will accept your view, and the matter shall be considered." And my hon. and learned Friend did consider the matter, but we never could see Brady. For good or for evil, the production of the cash book would have shown whether Byrne was in Dublin at the time, what money had been spent, and how it had been spent, and if there had been no such entry the charge would have fallen to the ground, the evidence of Delaney would have been discredited. Of course, there was such a book; of course, no one could have carried on business without it. Although there was an affidavit saying that there was such a book, and although we got all the other books that were then accessible, we never have been able to get this cash book.

MR. REID (Dumfries, &c.): The right hon. Gentleman is perfectly accurate. I said that I would investigate this matter, or some words importing that; I did investigate it, and I have not the slightest objection to state the result. Brady, in point of fact, was in Court for many days; and if the Commissioners desired to ask any questions, or the right hon. Gentleman had desired to do so, it would have been perfectly easy to have done it. Before the end of the case I withdrew from the

case. Counsel were withdrawn from the case, and, therefore, I had not an opportunity of stating to the Court what I intended.

SIR H. JAMES: I accept what my hon. and learned Friend has said perfectly, but I do not think it at all explains this matter. Before my hon. and learned Friends retired from the case they stated that there were a few witnesses they intended to call, and Brady was not one of them. Brady was never intended to be called. The result was that, after making inquiries, my hon. and learned Friends did not produce Brady, and the cash book was never produced. I very much regret that anything like the details of the inquiry should now be discussed in this one matter, but, as I have stated, I felt it to be due to the hon. Member for Londonderry to refer to it, and, having referred to it, it was impossible to leave the matter where it stood. There is one other subject which I cannot refrain from referring to, because great importance ought to be attached to it. I know but little difference between those who incite to crime and the men who, having influence, do not take upon themselves to prevent crime. For private individuals there is one measure of responsibility; but upon an organisation which has a controlling power in the land, which has an uncrowned King at the head of the controlling power, there is a greater responsibility. That organisation, having a power which has set the Queen's authority at defiance and taken upon itself the responsibility of standing in place of the authority it defies, surely should use its influence to prevent the commission of crime. We have proof that the power existed, not by way of suggestion proceeding from those in political opposition to hon. Gentlemen below the Gangway, but from members of their own Body, who have told us, and can tell us, of the great power they had at their disposal. There is one witness, Mr. Matthew Harris, who tells us of the power which the organisation possessed. Speaking of the time when crime was becoming rife, and when he knew the policy the Land League had been pursuing, he gives us his view of the policy the leaders of the movement ought to take. He tells us, in fact it was an understood thing among the leaders of the movement—and he mentions himself, Mr. Egan, and Mr. Davitt—and he said that about the time of the State trials, which was early in 1881, they agreed to pursue a more moderate policy, but when the State trials took place there was no moderation of policy. Again, at the end of 1880, Mr. Davitt returned from America. He had seen what public opinion there was. He had found, as is often the case, that people the most democratic are the most determined to see the authority of Government maintained, and that public opinion in America was shocked by the outrages which were committed in Ireland. Mr. Davitt addressed himself to Mr. Parnell on the subject because those whom Mr. Davitt and Mr. Parnell controlled had the power to stop crime. Mr. Davitt asked the hon. Member for Cork to use his influence for that purpose. "I did not make any speeches in such sense," said the hon. Member for Cork, "because my engagements had come to an end"—meaning he had come to the end of the speeches he had arranged to make. What answer is that, when speaking on behalf of a great power controlling Ireland, and when agrarian crime and outrage was rife and directed, too, not against the hated class of landlords, but inflicted on the poorest class of those the organisation pretended to protect. The denunciations by Mr. Davitt were, however, accompanied by expressions representing the avoidance of crime as desirable as a matter of policy rather than a moral obligation. Davitt, however, did set himself to work to denounce the crimes in this qualified manner, but with that exception I do not find at this crucial time any denunciation from those who at that time held power in Ireland. One witness was called, the most powerful we could call—Mr. Davitt—and even he had to stand forth as a witness to condemn those men. Mr. Davitt wrote a letter, which appeared in the *Standard* in May, 1882, respecting the suggestion that the Irish leaders should undertake a pilgrimage to denounce crime, in which he said—

"You next call upon my friends and myself to employ our recovered liberty to give the world solid and unanswerable guarantees of the loathing with which we regard all forms of

outrage by making a fresh pilgrimage through the country, and to never desist from denouncing assassination until these hideous crimes are exorcised from the land. I agree with you, Sir, that such a pilgrimage ought to be made even now. Had it been made before it is my firm belief that the terrible tragedy of the Phœnix Park and many another tragedy, which, though it has not attracted so much attention, has wrung heartstrings as bitterly, would never have occurred. Why have there not been such pilgrimages? Let the facts answer so far, at least, as I am concerned. From the first initiation of the Land League I warned Irish people against outrages as the greatest danger of the movement."

Yes, Sir, such a pilgrimage might have stayed not only the attack on the Representatives of the Government; it would also have stayed the attacks on the men of the hillsides who were being shot down, and whose fate wrung many heart strings just as much as heart strings were wrung by the death of Lord Frederick Cavendish. There is one observation I ought to make in respect of that letter, that from October, 1881, until May, 1882, the hon. Member for Cork had been in Kilmainham. But look at the records of crime that existed up to October, 1881, and we shall find that the maximum of crime existed during 1881. Where were the pilgrims then? There was freedom of action and freedom of power, be the policy right or wrong pursued at that time, and it was because these pilgrimages were not made and because the hands that had the power to stay crime would not do so, that appeals were made to put the Act of 1881 into force. But I pass from this topic. The hon. and learned Member for Hackney, like the right hon. Gentleman the Member for Mid Lothian, has said that these crimes were the natural outcome of semi-starvation, of distress, and of evictions. That theory has been found to be incorrect. If you compare the evictions that took place in the great famine years from 1849 to 1851 and the crime that then existed with the evictions and crime in the years 1880-1882, you will find that in the former period there were 14 evictions to every agrarian crime, while in the latter the proportion is about 1·3 evictions to one crime. This proves that step by step, where the Land League existed, crime increased, and we know the truth now of the remark that "crime dogged the footsteps of the Land League." It has been proved that this increase of crime is not a question of the distress or of the evictions, but that wherever the Land League existed and held power crime spread, as had been said, like wildfire. Therefore, I say that the finding of the Judges on this point is amply justified. The right hon. Member for Mid Lothian has said that, to sum up the case in the language of Lord Chatham, the actions were the action of liberty as against oppression. There is also another speech which I read with great regret—the speech of my hon. and learned Friend the Member for Aberdeen, in which he is reported to have said—

"Who would blame those who had co-operated, however much they disapproved the agency, with the societies that were using assassination as their means?"

[MR. BRYCE dissented.] I understood that my hon. Friend does not accept the report as it appears, and therefore I will not rely on those words, but I think there was something of substance in the report I have read. There was something of substance in it, so far as the saying that a revolutionary party may use agents which they would not wish to use at any other time. I hope that doctrine will not be carried too far, for the danger of it is great. It is a doctrine which justifies the existence of terrible agencies. The right hon. Member for Mid Lothian has said that all that occurred might be summed up as representing the action of liberty against oppression. He was speaking of his Government in the years 1880-82. If it be that the Government of the right hon. Gentlemen opposite shall ever be more tyrannical in Ireland than the Government of 1880-82, may we not expect that similar occurrences may take place, and be regarded as justified if this argument be true? If this is the act of those who are oppressed against tyrants, if this be liberty fighting against oppression, do you not think that the theory used in this House now will be relied on by those who hereafter commit similar acts to those that were committed in 1880-82? May not the weighty words of the right hon. Gentleman the Member for Mid Lothian quicken the action of many a doubtful man when he is thinking whether he shall commit crime or not—may not he be influenced if he thought

that all that had been done in the past represented the emblem of a glorious struggle of liberty against tyranny, against oppression? When we are told that there may be justification for dealing with societies of assassination that is another question. Let moralists decide that. But if you are using such weapons as these, do not tell us that your agitation is a Constitutional agitation. I accept the theory that there have been in the past men who may have usurped the power of Government, but they have borne the consequences, and claimed to be treated as men who would receive the triumph of their cause if they won and who would suffer the penalty if they lost. If the agitation is only Constitutional you have no right to tell us at the same time that the crime committed was only the natural outcome of a struggle between liberty and oppression. I well recollect the most eloquent appeal of the right hon. Member for Mid Lothian to hon. Gentlemen opposite to set their prejudices on one side, and his appeal to their better judgment in the stillness of their chambers. I, too, appeal to you, but not as Party men, for it is not to a Party that the appeal should be made. That appeal should be made to a people. And the people I appeal to are the loyal population of this country, the men who are loyal, not only to the name and the symbol of the Crown—to them an empty symbol—but loyal to the institutions and to the Constitution of this country. To them I appeal. I appeal to them in their better judgment, that they shall, in their chambers, as my right hon. Friend has said, ponder and commune with themselves, and I believe their judgment and their prayer will be that to men who have so acted and to doctrines such as have been propounded in this House no power shall ever be given to control the loyal subjects of the Queen.

*(6.16.) MR. H. H. ASQUITH (Fife E.): Nothing can be more repugnant to me than to enter into a public controversy with the right hon. and learned Gentleman who has just sat down, and I trust that the right hon. and learned Gentleman will not think that I am wanting in respect to him if I leave many of his most disputable propositions to be dealt with by subsequent speakers. But there is one general observation which I must make about the speech of my right hon. and learned Friend. I could not help thinking as I listened to it how far we have travelled from the starting-point of this inquiry. Has the right hon. Gentleman ever by chance read a publication called *Parnellism and Crime?* He has given us to-night a very interesting and ingenious disquisition on the theory of revolution, and the relation between crime on one side and agitation and distress on the other, and he has applied his theory to the state of Ireland in 1879 and 1880. But that topic was urged in this House with at least as much force by the late Mr. Forster in February, 1883. What was the rest of my right hon, Friend's speech? It consisted of a reference to, and a vindication of, his *protége* Le Caron, the Horan letter, and the disappearance of the books—topics not one of which could have been alluded to in *Parnellism and Crime*, but which were purely an afterthought, and if the whole of my right hon. Friend's contentions were made out it would not carry the authors of that publication one step nearer their conclusion. What was the charge in support of which the right hon. and learned Gentleman and the Attorney General opposite exerted all their powers for a period of nearly a year? It was this—that the Land League was nothing but a cloak, a pretext, for a system of organised treason and outrage, committed, it is true, in detail by subordinate agents, but contrived, controlled, and paid for by men who still sit among us as Colleagues in this House. Was that or was it not the charge? The right hon. Gentleman will not deny that that was the charge. Has that charge been found proved or has it not? I appeal to the Report of the Commission, and if, as we contend, and I am certain that my right hon. and learned Friend as a fair-minded man would not deny, that charge in every one of its particulars has been found by the Judges to be disproved, I must confess that it is to many of us, sitting on this side of the House, a matter not only for regret but for surprise that my right hon. and learned Friend, of all men, is going to cast his vote against the Amendment of the right hon. Gentleman the Member for Mid Lothian. For if such a charge has been preferred, and persisted in, and disproved, I should have thought

that my right hon. and learned Friend would have been the first man to say that this House ought not to withhold reprobation from the calumniators, or sympathy from those whose characters have at last been cleared. I pass from that speech, but I cannot but feel that I owe an apology to the House for the intrusion into the debate of another lawyer who has acted as an advocate before the Special Commission. I can assure the House—and I believe that I am expressing the feelings of my hon. and learned Friends beside me—that I would most gladly have remained silent. If the relation of counsel and client still existed between me and any of the incriminated Members, or if any personal or private interest disabled me from forming an impartial opinion on the issue before the House, I would have abstained. But our interposition in the debate is not only justified, but necessitated by the action of the Government. What are the Government doing? The Government are inviting the House to undertake a judicial review of a vast number of grave and complicated findings, without at the same time providing the House with any authentic or accessible record of the charges in relation to which these findings were made, or of the evidence upon which they were based. That is the position, and it becomes, therefore, the duty of those of us who have been counsel in the case, inasmuch as we are necessarily familiar both with the accusations and the matters proved, to afford such assistance as is in our power to enable the House to perform the duty which the Government has, in my opinion, gratuitously and wantonly cast upon it. I cannot hope to add to the general considerations stated the other night by the right hon. Gentleman the Member for Mid Lothian, nor can I add much to the specific criticism on the details of the case made with such admirable force and cogency by my hon. and learned Friend the Member for Hackney. But since then the Attorney General has spoken, and has introduced some matters of which I am bound to take notice. I confess that I approach the hon. and learned Gentleman on this question with some diffidence and apprehension. My hon. and learned Friend appears to me to have got into a state of moral sensitiveness, which I can only characterise as morbid. He fancies, or seems to fancy, that on this side of the House there is something in the nature of a criminal conspiracy to single him out for attack and to take away his professional character. For my own part, I know of no such conspiracy, and if it exists I am certainly not a party to it. I have never said, and as far as I know, my hon. and learned Friends near me have never said, that in his conduct of the case, whatever complaints we may have had to make—and they have been many and grievous—the Attorney General overstepped the bounds of professional duty. It may be the duty of an advocate to put forward charges which may ultimately turn out to be unfounded. It may even be within the duty of an advocate—but I hope that it has not often happened—when those charges, under the stress of a judicial inquiry, crumble into dust, upon the instructions of his client to make such an expression of regret as the Attorney General made in this case—an expression of regret which will, I venture to say, live in the forensic annals of this country as a classical instance of a shabby and ungenerous apology. But we are not now in the Royal Courts of Justice. We are on a different platform. The Attorney General, when he rose and spoke last night, spoke, not as a counsel for the *Times*, but as a Member of this House, and the occupant of a high and distinguished post in Her Majesty's Government. His tongue was no longer inspired, and his hands were no longer tied by instructions from Mr. Soames. For my own part, I must confess that, remembering all the circumstances of the case, when I saw the hon. and learned Gentleman come to the Table, I watched with anxiety, and waited with confident expectation, for such an expression of sympathy from the Attorney General with those who had been unjustly accused, and of joy at their acquittal, as would have befitted the office as well as the man. But I listened in vain. The Attorney General made a long speech, a great part of which was devoted to the vindication of his own professional character, while the remainder, so far as I could appreciate it, amounted to a suggestion that the Commissioners might, and indeed

ought, to have found a great deal more adversely to the respondents. The hon. and learned Gentleman, towards the conclusion of his speech, interjected a frigid and meagre congratulation that the hon. Member for Cork and some of his Colleagues had not been found guilty of complicity in the Phœnix Park murders. The Phœnix Park murders! But that was only one count, and, in my opinion, not the heaviest count in the indictment of the hon. and learned Gentleman. The charge was that in the case of every agrarian murder in Ireland for a period of three years, these men were implicated either as principals or as accessories before or after the fact. That is the charge of which the Commissioners acquitted the accused, and which the Attorney General has not even thought worthy of mention in a single sentence. I must now deal with one or two statements made by the Attorney General. I confess that I was very much startled—in common with everybody on this side of the House—by the hon. and learned Member's assertion that never, directly or indirectly, in or out of the House, has he expressed any opinion of his own as to the case of the forged letters. I hold in my hand the volume of *Hansard* in which there is the report of a speech made by the hon. and learned Gentleman on the Second Reading of the Charges and Allegations Bill, and I find attributed to the Attorney General this statement—

> "The whole of the case I opened I was prepared to prove, and if I am counsel for the *Times* again shall be prepared to prove; the evidence is available if it is wanted, but I should be unworthy of my position if I allowed myself to use it for any other purpose."

It is impossible not to construe this statement in the light of a passage which appeared immediately after the trial of "O'Donnell *v.* Walter" in a leading article in the *Times*. The article said—

> "These charges against Mr. Parnell have been formulated in open Court by the head of the English Bar, a man whose eminence, personal, professional, and official, offers an absolute guarantee that in his trained judgment he has the means of proving what he says."

SIR R. WEBSTER: What is the date of that?

*MR. ASQUITH: The 7th of July. But after what my hon. and learned Friend said last night I will accept his assurance that he did not intend to vouch his opinion in this House.

SIR R. WEBSTER: I never did.

*MR. ASQUITH: *Litera scripta manet.* The Attorney General knows perfectly well the rule of law, which is also the rule of common sense, that a man's words must be understood in the sense in which they would be understood by an ordinary hearer of average intelligence.

SIR R. WEBSTER: I beg the hon. and learned Gentleman's pardon. I was speaking on the occasion to which he refers in answer to a personal attack made upon me by three Members of Parliament, the Members for Derby (Sir W. Harcourt), York (Mr. Lockwood), and South Hackney (Sir C. Russell), and if that speech be read, it will be seen that I did not then, or at any time, pledge my personal opinion or refer to it. I stated what I was prepared to prove as the counsel for the *Times*. With regard to the leading article, I never saw it, I never heard of it, and I never knew of its contents until it was read this night.

*MR. ASQUITH: I think the hon. and learned Gentleman is not quite accurate in the latter statement, because on the 1st of March, 1889, my hon. Friend the Member for Northampton (Mr. Labouchere) put to him a question on the very subject. I will remind the hon. and learned Gentleman of the answer he gave.

SIR R. WEBSTER: Read the question and answer.

*MR. ASQUITH: The hon. Member asked if the Attorney General repudiated the responsibility cast upon him by the article in question. The Attorney General replied that he did not recollect the article, but would look it up and answer on Monday. He did not give the answer on Monday.

SIR R. WEBSTER: The question was never put.

*MR. ASQUITH: The hon. and learned Gentleman's statement just now was that he had never heard of the article. But I will return to the point from which I was diverted by the Attorney General's interruption. I assert that, whatever the Attorney General's intention may have been, there was no doubt of the sense in which his words were understood, and I am perfectly certain there would have been none of the enthusiasm which there was, and none of the zeal

and determination in the passing of the Bill, if the great majority of hon. Members opposite had not believed that the Attorney General, the head of the Bar, a lawyer whose competence and distinction no one presumes to question, had pledged his opinion that, to use the language of the *Times* "in his trained judgment" these matters were capable of proof. I must pass to another statement of the Attorney General's in relation to his controversy with the hon. and learned Member for Hackney as to the Attorney General's speech at Oxford the other day. I am not going to enter into the details of that controversy. It appears to me that the Attorney General's grievance against the hon. and learned Member for Hackney is that my hon. and learned Friend thought the Attorney General meant what he said. From the Attorney General's explanation it appears that he did not say what he meant. By the interpolation of a date here, and by the expansion of a phrase there, and by that process alone, can the Attorney General's reported words be brought into accordance with what he intended to say. This is really becoming a serious public question. The text of the Attorney General's speeches is almost as much in need of revision and commentary as the tragedies of Æschylus. The Solicitor General, who is sitting by his Colleague, has recently published a volume of his own speeches. A very interesting and valuable work it is. I would suggest to my hon. and learned Friend that he should now devote his leisure to editing the speeches of his colleague. I come to one of the arguments of the Attorney General, reinforced, as it has been, in some points at any rate, by the right hon. and learned Gentleman the Member for Bury. The Attorney General alleges that the Nationalist Members and those who represented them were guilty of a wilful and intentional suppression of evidence. I should have thought the question of the suppression of evidence was a delicate and dangerous topic, which the Attorney General would have had the good judgment to avoid. However, as the hon. and learned Gentleman has raised the question, I will ask the House to see how the matter stands on the one side and the other. The charge of suppressing evidence is based on the absence of the Land League books, or portion of them, for a period of two years, and on the almost complete absence of the Land League correspondence and documents. Have hon. Gentlemen opposite ever seriously considered what the Land League was? It has been treated by the right hon. and learned Member for Bury as though it was a Joint Stock Company, with a regular directorate, which kept its accounts and had them inspected and audited from time to time, and in whose office the most apple-pie order prevailed. The Land League was a body which from very small beginnings rapidly and suddenly became a vast organisation, overspreading the whole country. Its executive consisted for the most part of untrained and unskilled men, totally incapable of keeping pace with its rapid growth, and just when things were being got in hand one after another the heads of that organisation—first Mr. Davitt, then Mr. Dillon, and ultimately Mr. Parnell, and every one of the leading members—were put into prison under Mr. Forster's Act. The hon. Member for Donegal (Mr. A. O'Connor) described before the Commissioners how he went to the offices of the Land League in September, 1881, and found them in a state of complete disorganisation and chaos, hundreds and even thousands of unopened letters, no system of book-keeping, and everything in confusion. What happened then? The League was on the eve of suppression. Wind was got of the intentions of the Government, and naturally enough the officers seized every available document, and ran out of the country as fast as their legs could carry them. What has become of the documents? It has been suggested that they are still in existence, and that some one is deliberately keeping them out of the way. So far as I know there is not a tittle of evidence in support of that suggestion. Statements were made on affidavit by the Irish Members which traced those documents to the possession of named persons in whose custody they last were. One of them was Mr. Brady; another was Mr. Moloney. Those persons were not called by the *Times*, although some of them at least were in Court, ready to go into the witness-box,

or to answer any questions the Commissioners might think it of importance to put to them. Where, then, lies the responsibility, if there is any, of their non-production? The right hon. Member for Bury has in great detail complained of the non-production of the cash-book of the English Land League. Why did he want to see the cash-book? Because that infamous man the convict Delaney, whose testimony the Judges have from beginning to end discredited, for the purpose of supporting that part of the *Times'* case which alleged that the Invincibles were a branch of the Land League, and that the leaders of the Land League were implicated in the Phœnix Park murders, swore that Egan, Brennan, a man who was in prison at the time, and Frank Byrne, the Secretary of the English Land League, had been over in Dublin, concocting with Brady and the rest, and providing the funds for, that terrible conspiracy. The Judges have discredited that testimony in every point. Does my right hon. and learned Friend mean to suggest that for the purpose of making good that part of the *Times'* case which, though it was never withdrawn from the inquiry, the Commissioners had found to be totally unfounded—that for that purpose, and that purpose alone, that book ought to have been produced? There is one other matter in relation to these documents to which I must refer, and that is Mr. Parnell's refusal to disclose the accounts kept by Mr. Monro in Paris. With all respect to the Tribunal, I venture to say that a more impertinent request was never made. It was not suggested, and could not be suggested, that the disclosure of that account would show in detail how the money was expended; and the inspection was sought by the *Times* simply for the purpose of ascertaining what was the extent of the pecuniary resources of the Irish Parliamentary Party. When the Conservative Party is ready to disclose the accounts of the Carlton Club and the Primrose League, which I believe are never audited, then I will agree that it was unreasonable for the hon. Member for Cork to refuse to disclose the pecuniary resources of his Party. So stands the case in relation to the suppression of evidence on the one side. Now let us look at it on the other. My hon. and learned Friend the Member for Hackney last night distinctly challenged the Attorney General to give some explanation of the conduct of his witness Houston in relation to the destruction of his documents. The Attorney General spoke for two hours, but never alluded to the subject. Houston was the purveyor of the forged letters, the efficient cause of *Parnellism and Crime*, and the chief witness of the *Times*. Houston was the person who sent that wretched man Pigott—more sinned against than sinning—upon his fatal quest. From time to time, whilst Pigott was making his journeys, real or imaginary, in search of compromising documents, he communicated by letter and telegram with Houston. At the time of the opening of the Commission these letters and telegrams were in Houston's possession. He was subpœnaed as a witness, and the effect of the subpœna was to make it his duty to preserve intact and unimpaired every scrap of material evidence in his possession. Houston knew also that Pigott had been subpœnaed. He also became aware, a very few days after the Commission first sat, that the forgery of the suspected letters was attributed to Pigott. He became aware, further, that it was alleged that Pigott had confessed the forgery to the senior Member for Northampton (Mr. Labouchere) and other Gentlemen. Knowing these facts, Houston deliberately availed himself of the long interval — November and December—which the *Times'* counsel interposed between the commencement of the inquiry and its real object to tear in pieces and burn every scrap of Pigott's communications to him. In the whole history of our judicial proceedings there is no parallel instance of a contempt of Court so gross and unprovoked. It is true that what I am saying may be novel and startling intelligence to many hon. Members opposite, for there is not a line, not a suggestion, on the subject in the Judges' Report. I can understand the view of the Commissioners. From their point of view the Irish Members, and not the *Times*, were implicated. But in this House the position is very different. The *Times* stand at the Bar here, except in as far as the Commissioners have expressly acquitted them of calumny and falsehood;

and if we are to come to the suppression and mutilation of evidence, I assert, upon the facts I have stated, that the offence of the Land League, if there was any, was venial and slight indeed as compared with the offence of the leading witness of the *Times*. I now come to another charge—that connected with the Horan letter. I assert that any man who reads that letter without prepossession, and endeavours to put a fair construction on its language, will see on the very face of it that it referred to an exceptional transaction. The writer, undoubtedly the Secretary of a local branch, said—

"I beg to direct your attention to a matter of a private character, which I attempted to explain to you when I was in Dublin at the Convention."

Then he went on—

"No one knows the persons but the doctor and myself and the members of that society."

What do those words point to? They point clearly to the fact that these injured persons were members of some secret society, not the League; and the Secretary, I agree most improperly, was endeavouring to obtain a grant from the funds of the League, to compensate men who do not appear to have been members of the League at all. The Judges have apparently based their extraordinary finding—

"That the respondents made compensation to persons who had been injured in the commission of crime"—

on the absence of the documents and books of the League, and the presumption now made for the first time, as far as I know, in any English Judicial Tribunal, that a man who is not proved to be innocent must be held to be guilty. But this does not exhaust the matter. Not one of the respondents was present at the meeting of the executive of the League when the Horan grant was made. Not one of them was shown to have had any knowledge of the matter, directly or indirectly. The statements attributed by the Commissioners to Mr. Ferguson and Mr. Biggar, that similar applications had been made on previous occasions and sometimes granted, at others refused, are, in my humble judgment, wholly unsupported by any evidence before the Commissioners. But that is not all; for every one of the respondents put into the witness-box was asked in examination-in-chief whether he had ever been a party to such a payment, and swore that he had not. I now come to another matter which is of grave importance, at any rate in the opinion of the Attorney General and the right hon. and learned Member for Bury. The Attorney General was very indignant at the suggestion that the Commissioners have discovered nothing new. He said—

"Why, the Report has revealed for the first time the secret connection between the Clan-na-Gael of America and the Nationalists of Ireland."

I shall refrain from dealing in detail with the question of the morality or immorality of receiving subscriptions through the *Irish World;* but I ask the House to study the evidence respecting the Clan-na-Gael. That Body is referred to by right hon. Gentlemen opposite as if it consists of a body of sworn assassins, whose sole object is, by dynamite and other infernal methods, to take life in this country and damage property. But what is the evidence in support of all this? It consists entirely of statements of Le Caron, whom I will admit for this purpose to be a witness of truth, and sheaves of circulars tendered in evidence by Le Caron and received by the Commissioners upon some principle which, up to the present moment, I confess, I have been unable to understand. I do not object to their having been received, because a more grotesque and ridiculous collection of balderdash was never foisted upon a Judicial Tribunal. What do the circulars consist of? Most of them of transparently foolish cryptograms, puerile transpositions of letters, and a mass of mysterious threats of terrible things which it is perfectly obvious were merely explosions of rhetoric. Now, if I may say so, without offence to the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson), whom we see opposite, and whom we heard with so much pleasure last night, I should say I detect in point of style and expression a strong family resemblance between the circulars of the Clan-na-Gael and his familiar and much-appreciated rhetoric. In both there is a great wealth of adjectives, considerable recklessness of assertion, and the one, in my judgment, mean about as much or as little as the other.

Revolutionists, serious revolutionists, whether actual or contingent, revolutionists who mean business, do not spend their lives in writing long-winded circulars or in vapouring upon platforms. Now there is no evidence whatever that more than a very small fraction of this Body called the Clan-na-Gael—which primarily appears to be nothing more than a national friendly society, as we should call it in this country—there is no evidence that more than a very small fraction of the persons connected with this Body ever had any intention that dynamite should be used. Le Caron professed to have been in the confidence of the most extreme section of the Clan-na-Gael. He was transmitting every post one of these circulars —*verbosa et grandis epistola*—to his friend Mr. Anderson, in London, with a long covering letter of his own. I see the Home Secretary sitting opposite. I should like to know whether he, or any one conversant with the administration of the Government of this country during the last 10 years, can point to one single case in which a dynamite explosion has been prevented, or in which the perpetrators of a dynamite explosion have been detected and brought to justice, through information supplied by Le Caron? Hon. and right hon. Gentlemen know very well they cannot — or rather I suspect they do. But, Sir, if it were the fact that these men were the bloodthirsty and raving monsters Le Caron represented them to have been, if it were the fact that the explosions which occurred could have been traced even by suspicion and conjecture to the emissaries of the Clan-na-Gael, how is it that this devoted spy, over whose loyal and patriotic services my right hon. and learned Friend almost shed tears, was unable to give his employers anything for their money, except sheafs and reams of bombastic circulars? The thing speaks for itself. And I will go further. The Commissioners in their Report deal with this mater; they refer to the explosion at London Bridge, and to the trial of Thomas Gallagher and others for plotting to overawe Parliament; and the Commissioners do not find that in either case there was any connection with the Clan-na-Gael. The only connection they suggest is that in the explosion at London Bridge the man Lomasney, who is believed to have perpetrated it, is supposed to have perished, and "his family was afterwards supported by the Clan-na-Gael." That is the only evidence, affirmative and direct, that can assist them. Indeed, it is extremely probable that the Clan-na-Gael sought to take credit for an explosion with which they had no concern whatever. During the Commission one of the counsel on the other side read from an American newspaper an account of how certain American-Irish, on hearing of an explosion in this country, affected an air of mystery about it, but none of them ventured to claim any credit for it, and ultimately some one went to the office of O'Donovan Rossa—who has always been considered a man representing the most dangerous enemies to England—and found him with a small coterie of friends toying with one or two dynamite bombs that lay on the table before him. When questioned, this melodramatic miscreant was obliged to admit that he had had no direct share in the explosion; but he intimated that before many years were over he, too, should be able to show what he could do. The whole thing, if you come to scrutinise it, is to a very large extent a mare's nest. The Attorney General told us last night that Mr. Parnell had admitted that he sympathised with dynamite. That is an accusation which, so far as I know, was never made during the whole course of the inquiry. It is not to be found as a personal charge against the hon. Member for Cork; it is not to be found in *Parnellism and Crime;* it has been reserved to the Attorney General, after the conclusion of the inquiry, and after the Report has been made, for the first time to formulate it. And what is the evidence on which he makes so grave a suggestion? It is that in a newspaper called the *Irishman* in February, 1885, an article appeared in which the writer stated that Mr. Parnell did right not to denounce dynamite. What is the process of reasoning by which the hon. and learned Gentleman arrives at his conclusion? Who was the writer of the article? The hon. and learned Gentleman does not tell us what is Mr. Parnell's responsibility for the article. He was a shareholder in and perhaps a

director of a company which some years before purchased this paper; but Mr. Parnell, it will be remembered, swore that he had no knowledge of the continued existence of the paper—a statement indirectly corroborated by a circumstance referred to by the right hon. Member for Mid Lothian, namely, that Lord Spencer and the officials of Dublin Castle were not aware that it existed. The Commission did not find that Mr. Parnell had any knowledge of the articles that were being published in this paper; and the whole responsibility laid upon him in this matter is a constructive responsibility, which might be sufficient in a civil action, but which furnishes a very slender foundation for the charge that has been made. And now, before I sit down, I should like, by the permission of the House, to summarise the charges which the Commissioners found to be proved, so far as they are matters of fact, and therefore fit subjects for judicial investigation. They are that some of the respondents did join the Land League hoping thereby to promote the independence of Ireland; that all the respondents took part in a conspiracy; that all the respondents advocated and practised boycotting; that all were parties to defending persons who were accused of crime and committed for trial but not yet found guilty; that the respondents obtained co-operation and pecuniary support from the American-Irish, many of whom were admitted to be physical force men, while at the same time it is found that none of the respondents were aware that the extreme section of the Clan-na-Gael had anything to do with controlling the operations of their organisation. These are findings of fact, and for my part I should be prepared to accept them every one, and it would not make the least difference in my estimate of the moral character of any Member. Which of these things is to be imputed to a man as a matter of moral blame? Many patriots, for good reasons or bad, in all times and at all stages of the world's history have desired the independence of their country. Many have taken part in conspiracies. Up to 1875 every Member of a Trade Union in this country was obnoxious to that charge. The respondents advocated and practised boycotting; a weapon of defence which may be abused, and unquestionably in Ireland it has been, but in itself and by itself a perfectly legitimate instrument of self-defence. They defended prisoners in a country where we know that the administration of justice, whether by resident magistrates or by juries carefully selected, does not command the confidence and enlist the co-operation of the mass of the people. They appealed for assistance to their expatriated fellow-countrymen in America; they were ready to receive innocent contributions for innocent purposes from persons who might or might not have ulterior designs of their own. Where is the moral offence of that? What is there to prevent me if I were going to use money for a Constitutional and legitimate purpose, if I received it upon the express understanding that it was to be used for that purpose only, from taking it from the veriest criminal under Heaven? If the Judges had confined themselves to these findings of fact, I should not have hesitated to adopt their Report. But they have mixed these findings with a number of findings upon questions which are pure matters of opinion. They have given their views on the connection between boycotting and the increase of crime and between coercion and the decrease of crime. On this point the Judges say—

> "It has been suggested that the decrease of crime which took place after July, 1882, was to be attributed to the conciliatory effects of the Arrears of Rent (Ireland) Act, which had become law on April 18, 1882. We must remark, in answer to this suggestion, that the Land Act of 1881, which has been described by the counsel for the respondents as 'the first great charter for the Irish tenant class,' had no such effect, and, in our judgment, the suggestion is not well-founded."

I should like to ask the opinion of those who were actually responsible for the administration of Ireland during the three years after July, 1882—Lord Spencer, the right hon. Member for Bridgeton, and Sir Robert Hamilton, now Governor of Tasmania. I am convinced that, while every one of them will acknowledge, or claim that the Crimes Act of 1882 was of great service in unearthing the terrible murder conspiracies which grew up during the imprisonment of the Land League leaders, they will, at the same time, with one voice declare

that the tranquillising of the country was the result of the Land Act of 1881 and the Arrears Act of 1882. On a point like this, which is matter of opinion and not of fact, I would rather take the judgment of three practical politicians than that of the most erudite lawyers on the Bench. What is the sum and substance of the whole matter? I could have hoped that this was an affair which might have been lifted above the region of Party controversy, and that the Government would have taken the opportunity of acting in a spirit which should be, I will not say magnanimous, but just and wise. Charges of personal complicity with crime have been preferred and persisted in against a number of Members of this House. Every one of those charges has been directly and emphatically disproved. There is no dispute on either side of the House as to the correctness of the Commissioners' finding upon all these points. What then, in these circumstances, was the proper thing to do? Surely for the Government to have invited the House —the guardians of whose honour they are—without distinction of person or party to join in a great act of reparation, as to which, so far as personal complicity with crime is concerned, every one of us is agreed. If the Government had brought forward such a Motion, I believe that a large majority of Members opposite would have been glad to support it. But the Government have refused to take that course. They have refused to these men, incriminated, vilified, and now acquitted, the formal acknowledgment by this House of the vindication of their character, unless they and we are content at the same time to accept as true, and adopt as our own, a mass of judicial *obiter dicta* upon a number of most intricate and complicated questions in economic, social, and political science. There is, admittedly, no precedent for such a course, and it is of the worst example for the future. For my part, I shall vote without hesitation against the proposal of the right hon. Gentleman, and I am confident that if it is carried—as carried it will be by a Party majority—it will be one of the first duties of the Parliament which shall succeed, following the better precedents of the past, to expunge from the Journals a record which will be a standing reproach, so long as it remains,

Mr. Asquith

to the generosity and fairness of the House of Commons.

*(7.20.) MR. C. HALL (Cambridge, Chesterton): My hon. and learned Friend who has just sat down stated at the commencement of his speech that the Government were inviting the House to make a judicial review of this Report. Sir, that is not my view; but I confess that, knowing as I did the great ability of my learned Friend and the intimate knowledge of the matter he had acquired, not only by means of a careful study of the facts, but by having been engaged as counsel before the Commission, I thought we had a right to expect that, from him, at least, we should get that impartial view of the proceedings which has been so sadly wanting in the speeches of many hon. Members opposite. I wish, Sir, to call your attention not only to the terms of the Resolution, but also to the terms of the Amendment. It has already been pointed out that the Amendment suppresses part of that which ought to be stated if it is to be added to the Resolution. If I may make so bold, speaking in the presence of the right hon. Gentleman (Mr. Gladstone), I may say I have very serious doubts whether the wording of the Amendment is the handiwork of the right hon. Gentleman. It bears a strong resemblance to the language of the cooked version of the findings which appeared in *United Ireland* the other day. ["Oh, oh!"] Surely, it must now be admitted to have been a cooked account. ["No, no!"] Not admitted? Why, even the *Pall Mall Gazette* described it as "cooking which was certainly foolish." The Amendment indulges in a superabundance of hard words and a redundance of epithets which I think its author would have done well to avoid, especially if it is not to be relegated to one of those cemeteries for books which the right hon. Gentleman (Mr. Gladstone) has suggested in a

recent article will be necessary in the future. Sir, there has been a marked omission on the other side of the House to deal with what I believe to be almost the gravest charge of all—the charge that the respondents invited the assistance and co-operation of, and accepted subscriptions of money from, known advocates of crime and dynamite. My hon. and learned Friend the Member for South Hackney (Sir C. Russell) drew up a list of what he submitted to the Judges were the charges in *Parnellism and Crime*. My learned Friend omitted that charge from the list. Whether he will suggest that it was not worth his attention I do not know; but we know that after overwhelming evidence had been given in support of it, he felt bound to notice and deal with this serious charge. My hon. Friend in his speech the other night certainly did not go as far as his learned Colleague (Mr. Asquith) has done to-night. Nine-tenths of the speech of my hon. Friend who has just sat down were devoted to a bitter personal attack on the Attorney General. We have got accustomed in this House to the complaints of hon. and learned Gentlemen opposite that they have not had fair-play at the trial. Does any one doubt that if they had not fair-play they had only to appeal to the Judges and they would have got it. It seems to me that the debates and time of this House ought to be devoted to something of a broader character than the petty allegations made by Gentlemen opposite against my hon. and learned Friend the Attorney General, which he has refuted so thoroughly. My hon. and learned Friend the Member for Hackney did not go as far as my hon. and learned Friend who has just sat down. He did not go so far as to suggest that the Clan-na-Gael was only a sort of Friendly Benefit Society, or a National Friendly Society. What the Member for Hackney did suggest was that the action of the Clan-na-Gael was the action of a very insignificant section of a comparatively insignificant party, and that the attempts made to control the prrceedings of the Land League absolutely failed. The Judges found directly the contrary. What was the finding?—

"We are of opinion that the evidence proves that the Irish National League of America has been since the Philadelphia Convention (25th April, 1883) directed by the Clan-na-Gael, a Body actively engaged in promoting the use of dynamite for the destruction of men and property in England. It has been further proved that while the Clan-na-Gael controlled and directed the Irish National League of America, the two Organisations concurrently collected sums amounting to more than £60,000 for a fund called the Parliamentary Fund, out of which payments have been made to Irish Members of Parliament amounting in the year 1886 to £7,556, and in 1887 to £10,500. It has not, however, been proved that Mr. Parnell or any of the respondents knew that the Clan-na-Gael had obtained the control over the Irish National League of America, or was collecting money for the Parliamentary Fund, and the circulars of that Body, as well as the evidence of Le Caron, show that their operations were secret. But though it has not been proved that Mr. Parnell and the other respondents knew that the Clan-na-Gael controlled the League, or that the Clan-na-Gael was collecting money for the Parliamentary Fund, it has been proved that they invited and obtained the assistance and co-operation of the Physical Force Party in America, including the Clan-na-Gael, and in order to obtain that assistance abstained from repudiating or condemning the action of that Party. It has also been proved that the respondents invited the assistance and co-operation, and accepted subscriptions from Patrick Ford, a known advocate of crime and the use of dynamite."

I should like the House to consider whether there was or was not any foundation for that finding, or whether it was merely a question, as has been suggested, of a few *obiter dicta*. I will give the respondents the benefit of the admission that the Judges found the respondents did not know that the Clan-na-Gael was collecting money or was controlling the operations of the Land League. The Judges, however, have found conclusively that the National League in America was directed after the Chicago Convention by the Clan-na-Gael. The Judges call the Clan-na-Gael

"a body actively engaged in promoting the use of dynamite for the destruction of life and property in England." That is a pretty good specimen of a Friendly Benefit Society. They say it was "the corresponding organisation to the United Brotherhood of Ireland," and they add—

"The object of this organisation, as stated in its constitution, was to aid the Irish people in the attainment of the complete and absolute independence of Ireland by the overthrow of English domination, a total separation from that country, the complete severance of all political connection with it, and the establishment of an independent Republic. It was to prepare unceasingly for an armed insurrection in Ireland, to have no interference, directly or indirectly, in politics, to act in concert with the Irish Republican Brotherhood in Ireland and Great Britain, and to assist it with money, war material, and men."

Well, Sir, that is the National Friendly Society of the hon. and learned Member, and I wish to be allowed to point out the nature of the close and intimate alliance between the Land League and the Clanna-Gael. It is found that, it is not proved that, the respondents did not know of this intimate and close alliance. What are the facts? We know that the Land League was founded by the hon. Member for the City of Cork in America, and we have authority for saying this outside of this Report. We have the authority of the right hon. Gentleman the Member for Derby (Sir William Harcourt). What does he say? He says—

"It was founded by the Member for Cork City."

The hon. Member for Cork went to America to found the Land League. Whom did he meet there? With whom did he associate? According to his own evidence, the only men in America who took an active part in the Irish movement were men who belong to the revolutionary physical force party. He has been confirmed in that by the right hon. Gentleman the Member for Derby, who said in this House—

"When they first set to work to organise the Land League, who were the agents by whom it was started and conducted? Why, they were notorious Fenians, many of whom had been convicted, whilst others were perfectly well known to have been connected with the Fenian conspiracy."

Now, what was the object of the hon. Member for the City of Cork when he went to America to found the Land League? His object was to connect the physical force party with the open Constitutional movement. It was to get them to work in line, and there was only one way of doing it, which was to avoid saying anything that would hurt the delicate susceptibilities of the members of the revolutionary physical force party. What the hon. Gentleman wanted to do was "to run with the hare and hunt with the hounds." Now, the hon. Member, in the course of that American tour, made many speeches, eight or nine only of which were produced before the learned Judges; and what is the reason why they were not all produced? It is a curious fact in animal history, which I would commend to the attention of the right hon. Baronet opposite (Sir J. Lubbock), when he has time to devote his studies to the rodent class. The hon. Member for Cork told the Judges that he did bring home papers containing reports of all proceedings at those meetings, adding: "But the mice got into my portmanteau and devoured a good many of them." Well, Sir, the Judges had before them only a few of those speeches, amongst them the famous Cincinnati speech, now well known as the "Last Link" speech. There also occurred during that time the incident at Troy, where the dollars were brought "for lead and for bread." Well, whom did he meet while he was there? He met four men, to whom I will call the attention of the House very briefly. They were—Alexander Sullivan, Devoy, Mr. W. J. Hynes, and Finerty, whose names have an important bearing on

this case. What did he do when leaving America? He sent to Patrick Ford and invited him and others to form an auxiliary organisation of the Land League. Now, who was Patrick Ford, whom he invited to assist in forming this organisation? What right had Patrick Ford to speak in the name of Ireland? He had never been to Ireland in his life—at any rate, since he was a boy. What knowledge had he of Ireland save that which was given to him by Michael Davitt, whose whole mind was embittered by the recollection of his imprisonment, and whose memory was poisoned by evictions which had taken place many, many years before—a man who remembers what he ought to forget, and forgets what he ought to remember, the honest attempt of Great Britain to try and do justice to Ireland. Patrick Ford was one of the originators of the Skirmishing Fund, and was also the author of such articles as *How can we Destroy London and Lay Her in Ashes?* I am glad to see my learned Friend the Member for South Hackney (Sir C. Russell) in his place, because I wish to call the attention of the House to a speech he made only a few days ago in the town of Cambridge. The hon. and learned Gentleman bethought himself to give an interesting description of this Patrick Ford, and here is what my learned Friend said. I quote from the *Daily News*. He described Patrick Ford as—

> "A very eccentric person. He is alternately a hardened criminal and a most benevolent man by fits and starts."

The hon. and learned Member for Hackney says "Hear, hear!" Well, I have endeavoured to find traces of his extraordinary benevolence, and can only find two. First of all, that he is wont to invoke the name of the Trinity or of the Deity when inciting his readers to commit diabolical crimes; and, secondly, there is the character given to him by Mr. Davitt, who said in a somewhat cynical way—

> "I have seen many people in America and Europe, but I have yet to meet a better man morally, both as a Christian and a philanthropist, than Patrick Ford."

Benevolent? Yes; truly benevolent. The man who could write in 1884, "Success to the National League and more power to dynamite"—showing by the way that he thought the League and dynamite were in alliance—and who, in 1886, could say of what he called in, I presume, one of his benevolent fits, the Gospel of Dynamite, "All that I ever said on this subject I stand by now." Now, Sir, the Land League, we know, became connected with the Clan-na-Gael. My learned Friend the Member for East Fife described it as "a Friendly Benevolent Society." The hon. and learned Member for South Hackney described it somewhat less respectfully, for he called it "the rump of the old Fenian Party." That rump of the Fenian Party was, however, powerful enough to get control of the Land League and the National League to elect its Presidents and executive officers, and to tie its organisation head and foot, so that it could not go on without their consent. It may be asked how is this proved? It appears clearly from the Report that directly the Land League was formed the Clan-na-Gael issued a circular, and it will be found that whenever meetings of the Land League were announced to take place Clan-na-Gael circulars were issued.

*SIR C. RUSSELL (South Hackney): Secret circulars.

*MR. C. HALL: Yes, secret; but there is no doubt that those circulars were issued, and although it is suggested by the hon. Member for East Fife that they were "mere balderdash," worded in a bombastic and nonsensical way, it is nevertheless true that they advocated the policy of dynamite, and that when

they were issued explosions of dynamite followed. One of these circulars shows clearly that Gallagher, the dynamiter, was an emissary of the Clan-na-Gael beyond the possibility of doubt. Now we find that the members of the Clan-na-Gael were invited to attend the Land League meetings in order to obtain control over them whenever they could. This was done, and it will be found that, as in 1878, Michael Davitt had pointed out the hon. Member for the City of Cork as a young and talented Irishman who was going to assist them, so, in 1880, the Clan-na-Gael welcomed him with open arms. In 1881 an emissary of the Clan-na-Gael came over here—Le Caron. I do not propose to say one word about Le Caron's character after the clear and convincing statement made by the right hon. Gentleman the Member for Bury (Sir H. James), who has shown how far we may follow the advice of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), who had said in a light-hearted way that he had read some of the evidence and he did not believe Le Caron. We know, however, that the Judges did believe him. Well, Le Caron came over, and a remarkable incident occurred which, I think, has not yet been pointed out, although I cannot suppose it has altogether escaped the attention of hon. Members on both sides of the House. In his interview with the hon. Member for the City of Cork Le Caron tells us that the hon. Gentleman said to him—

"Go and see Devoy—he can do more than anyone else; go and see Alexander Sullivan; go and see W. J. Hynes; go and see Dr. Carroll, and tell Devoy to come and see me at Paris."

Yes, Paris, a place which was beyond the jurisdiction of the Queen. Was any attempt made to contradict Le Caron by examining witnesses on Commission? My hon. and learned Friend the Member for South Hackney applied for permission to examine witnesses on Commission, and could have examined Egan in order to ascertain whether he told Le Caron that Mr. Parnell wanted to see him. He might have told the Court he wished to examine Devoy, and he might have sent to America to ask if it was true that he had been asked by Egan to come over. But I pass that by. The hon. Member for the City of Cork wanted Le Caron to go to Devoy for advice. Now, what was the character of the four men the hon. Gentleman selected? Who was Devoy—the man who could do more than anybody else? What was Devoy? He was known to the hon. Member for Cork at the time as a Fenian and an ex-convict; he had met the hon. Member repeatedly in America, and he was also a Trustee of the Skirmishing Fund. The right hon. Gentleman the Member for Derby had warned the hon. Member for Cork and his Friends below the Gangway six weeks before as to who and what Devoy was. The right hon. Gentleman had pointed out that he was a man who was the author of an article advocating the laying of London in ashes to the danger of 4,000,000 of inhabitants. And yet this was the first man to whom the hon. Member for Cork wanted Le Caron to go. Who was the next? Alexander Sullivan. He is a man also well-known to the hon. Member for Cork. He was one of the leaders of the extreme party, and afterwards President of the Clan-na-Gael and the National League. It was he who arranged the tour of the hon. Member for Cork and the hon. Member for East Mayo, and accompanied them over much of the route. Well, there were two others, one was Dr. Carroll. He was a member of the Clan-na-Gael, and a trustee of the Skirmishing Fund. It was he who arranged the meetings addressed by the hon. Member for Cork in the coal and iron districts in Penn-

sylvania. The other was W. J. Hynes, also a member of the Clan-na-Gael, and he acted as chairman of the Chicago Convention, at which the hon. Member for the Scotland Division of Liverpool attended as representative of the hon. Member for Cork. These were the men the Member for Cork wished Le Caron to see. Truly a brilliant set of Constitutional representatives! Le Caron saw the whole of these men, and if he is not telling the truth, I want to know why none of them were examined on commission. The alliance between the Clan and the League now gets closer and nearer. What occurred in August, 1881? The Clan-na-Gael issued a dynamite circular, and the same autumn the hon. Member for Cork sent a telegram to the benevolent Mr. Patrick Ford, the known advocate of crime and dynamite, saying, "Mr. T. P. O'Connor will represent my views at the Chicago Convention." The hon. Gentleman the Member for the Scotland Division of Liverpool arrived and attended a caucus meeting at the office of the *Irish World*. Caucus meetings were invariably held before these Conventions. Whom did he meet at this caucus? He met two very distinguished gentlemen—Mr. Patrick Ford, and Mr. Finnerty, who, during that visit, told the hon. Member for the Scotland Division that he (Finnerty) was a dynamiter, who was one of the leaders of the extreme party, and as we find by the *Nation*, one of the Irish newspapers, a man who expressed his sorrow that the attempt to blow up the Government buildings had not been more successful. These gentlemen were the colleagues of the hon. Member for the Scotland Division before the Convention took place. In November of 1881 the Convention was summoned at Chicago, the usual circular was issued, and the brethren of the Clan-na-Gael attended in full force to get control of the proceedings. The alliance is becoming much closer and much warmer. At the Convention W. J. Hynes, the member of the Clan-na-Gael, was in the chair; Finnerty made the opening speech; and then at the evening reception a very remarkable speech was made. The evening reception was given in honour of the Irish delegates, I suppose. The hon. Member for the Scotland Division, representing the hon. Member for Cork, made a speech, which I believe has been read in this House, and which I wish was circulated throughout the length and breadth of this country, for a more disgraceful speech was never uttered by a Member of Parliament. What did he say? He said:—

"What becomes of the ten thousand farmers meantime? We will put the tenants as near their farms as we possibly can. They like to have a glimpse of their old home, and if I was the agent of an insurance society I would not like to have my whole organisation and corporation dependent on the ten thousand farmers who will go into the farms that the other ten thousand have been evicted from."

What did that mean?

"It meant," as the Report says, "that the dangerous consequences resulting from the action of the Land League were known to the speaker, and Mr. T. P. O'Connor admitted that the shooting of land-grabbers was one of the incidents of civil war."

There was one other Irish delegate present, the hon. Member for Longford. He made a speech which practically amounted to this—

"I am an advocate of no rent for all time, and if you want to break the British rule you must strike the land through the land system and landlordism."

After such speeches as that a resolution was come to by this Friendly Society that English rule had neither legal nor moral sanction in Ireland. I pass on: a year has elapsed, and what do we find? We find that as soon as another Convention is about to be held a dynamite circular is issued by Alexander Sullivan, of the Clan-na-Gael, in October, 1882. I hope the House will mark the date. Early in the spring of the following year explosions took place in considerable numbers. Two men, one of whom was Gallagher, were arrested for being in possession of dynamite. These explosions took place, and not a word of objection was heard from the hon.

Member for Cork. What did the *Irishman* say with regard to the hon. Member's silence?—

"Still the English papers howl at Mr. Parnell for not denouncing the dynamite people. Mr. Parnell's silence is a proof of his statesmanship, and one of the best evidences he could give of his sagacity."

A man named Lomasney was supposed to have perished in an attempt to blow up London Bridge by dynamite, and his family were supported by the Clan—"the national friendly society." Now, Sir, at the very time of these explosions the Convention, which bound the League hand and foot to the Clan-na-Gael, was held at Philadelphia. What happened? The Land League was merged into the National League, and the Clan-na-Gael obtained control over the entire movement. The usual caucus meeting took place; and the Convention was called "Mr. Parnell's Convention, in the fullest sense of the word." The question for the Convention to determine was stated bluntly and simply in the *Nation* newspaper:—"Shall physical force and dynamite be used or not in the contest?" A Committee was elected, and from that time the National League was absolutely powerless in the hands of the Clan-na-Gael. The Land League, as I have said, was merged into the National League, and *United Ireland* said, "it was Mr. Parnell's Convention in the fullest sense of the word." Now, that Convention stimulated the Clan-na-Gael, who, directly the Convention was over, issued another dynamite circular—

"5. In localities favourable to the work D's—*i.e.*, Camps—shall institute schools for the manufacture of explosives and other warfare."

Six months after we find issued another dynamite circular, which, I say, points conclusively to the fact that Gallagher was an emissary of the Clan-na-Gael, for in speaking of his failure it says—

"The efforts of the Executive were marred by treason."

What was the *Irishman's* view of this Convention, virtually the view of the hon. Member for North-East Cork? We know the effect which this style of writing has upon insufficiently educated people who believe that what they see in print must be true. The *Irishman* said—

"The outcome of the Convention no man can accurately forecast. It threatens to compass an end of thrilling interest to England."

Which meant, I suppose, the explosions which would follow.

"There is no cure for it . . . but topsy turvey, and then the retreat of the English garrison with bag and baggage—if, mayhaps, the latter can be saved in the pell-mell confusion of a horrible upheaval and universal crash."

Mr. Speaker, I think many hon. Members, who read these words, will have no difficulty in recognising in that turgid style and bombastic style the pen that wrote them. Now, we pass to the year 1886. The same close alliance still exists. Matters are left entirely in the hands of an Executive Committee, six out of seven if not all the members of which are also members of the Clan-na-Gael. And I come now to the Convention summoned at Chicago. We are told on the authority of the *Irishman* that previous to its meeting a Privy Council was held, among the members of it being the hon. Members for Cork County and Wexford, representing the Irish Party; and they met—a distinguished quartet—Egan, Davitt, Alexander Sullivan, and Patrick Ford. These are the men who, we are told, are representative of American public opinion. Sir, it is a calumny on the great American people to suggest anything of the kind. Mr. Davitt admitted that the whole tone of the American Press was denunciatory of these outrages, and that it called upon the leaders of the agitation in Ireland to do their best to put them down. I can say from personal knowledge, from such an investigation as I have been able to make during the last few months, that it is a gross calumny to say that the great American people sympathise with the dynamitards, or have any connection whatever with Irish crime. Now, Sir, at the Convention a finance sheet was produced, and it showed that the sum of 314,000 dollars was sent over to the Parliamentary Fund from America. That money was got together by the Clan-na-Gael and the National League, and a large portion of that very large sum went into the pockets of hon. Members for Ireland who sit below the Gangway opposite. Now, Sir, I am happy to say that I shall be able to deal with this matter without mentioning the

names of hon. Members opposite. I think it is to the credit of that much-abused paper the *Times*, that their names have not been exposed. I am not here as its apologist, but I do say it deserves credit for not having pilloried these men who received the money. I believe that, in the sanctity of their private chamber, to use the phrase of the right hon. Gentleman (Mr. Gladstone), they will find the blush of shame rising to their cheek when they know the money they received was proved to be collected by the Clan-na-Gael. It is said that it was not proved that they did know this at the time they received it. Let them lay that flattering unction to their souls. They know it now. They continue to receive money, and for what purposes? Is there any doubt that the money is sent over by these men with the same aims and ambitions as the men had who sent over money in days gone by? This money comes from the same tainted source. Sir, I would sooner starve in a garret than allow myself to become the hireling, to take the pay of men who are the avowed enemies of this Empire. The hon. and learned Member, in his speech at Cambridge, said the respondents received money through the instrumentality of Patrick Ford and the Clan-na-Gael, and that the Judges so found quite correctly—

"I want to know," said he, "why this should not be so? I do not see because Patrick Ford is the channel through which it comes, why Mr. Parnell should not accept the money subscribed by tens of thousands of honest men and women in America, whatever their object was; and I say that, in the main, it was good, and virtuous, and patriotic, provided always that he receives it and applies it to a purpose which is proper, honest, legal, and constitutional."

I do not think anybody will quarrel with the latter part of the sentence, but when we are told by the hon. and learned Member that these subscriptions come from tens of thousands of honest men and women in America—and I notice that the hon. and learned Member for Dumfries (Mr. Reid) expanded the number into millions in his speech here the other night—it is as well to see what authority I have for saying this money comes from a tainted source. The right hon. Gentleman the Member for Derby, when he was Home Secretary, spoke of this money received from America—

"Who," he said, "supports the Land League in Dublin? Is it supported by Irish subscriptions? Why, the Irish subscriptions are coppers, but the gold and silver come from Fenianism in America. That is where the money comes from, and the hon. Member knows it as well as I do. Who are the men they take for their agents to transmit the money to Paris and thence to Dublin? Men like Devoy, a convicted Fenian."

This was the right hon. Gentleman's view a few years ago. Has he changed it since? If he has not it is rather hard upon him that the hon. and learned Member for Hackney should say it is canting and pharasaical to say money should not be received through Patrick Ford because his paper, the *Irish World*, at times had "violent fits of the advocacy of dynamite and such like stuff." The hon. and learned Member for Dumfries asked what harm is there in receiving money from the *Irish World*. The answer is supplied by the *Irish World* itself.

"The money question," said the *Irish World*, is a very ticklish one. The reason why men transmit their money to the Land League through the *Irish World* is this—that a dollar sent through the *Irish World* is a significant endorsement of the principles enunciated by the *Irish World*."

So much, then, for the analogy of the "conduit pipe." The hon. and learned Member for Hackney asks why should not this money be received. I will tell him why? Because the people of this country will not tolerate the policy and wire-pulling of a Chicago Caucus, which will continue to claim from those whom they pay shall be worthy of their hire and support, an aim and purpose which has been described by the right hon. Gentleman opposite (Mr. Gladstone) as "marching through rapine to the dismemberment of the Empire." But these aims are not allowed to be openly discussed; it would not pay: they do not dare. To use the words of the *Nation* with reference to the Philadelphia Convention—

"To take the affirmation side on the question whether physical force of all kind—including dynamite—may be properly applied by the Irish people in their struggle for the liberation of their country from British rule" would "hardly be a safe thing for anyone who would contemplate returning to, and living in any

part of the so-called United Kingdom; least of all would it be safe for a member of the British Parliament. On the other hand it would be no easy task to urge before an Irish-American audience that the use of force by Ireland would be immoral."

The right hon. Gentleman the Member for Derby made a speech the other day, at Bath, a speech of considerable length, in which he said he would deal with this Report. But he very carefully avoided any reference to this ninth charge, and I think he was "wise in his generation." It was a significant omission, but I think the right hon. Gentleman must have felt he was estopped by his previous utterances, in which he described the Land League as a vile conspiracy, and told the House the League depended upon the support of the Fenian conspiracy, and that its doctrines were those of treason and assassination. The right hon. Gentleman said in his light-hearted way "there is nothing new in the Report, not a fact that was not perfectly well known in 1885." But all I can say is, that the country and very many Members of the House did not know all these facts. The vast majority of the people of this country did not know them then, but they know them now; and I would venture to point out that even the right hon. Gentleman himself must have a singular gift of prescience if he knew in 1885 that in 1886 and 1887 the League was under the control of the Clan-na-Gael. We had every reason to doubt the accuracy of the right hon. Gentleman's charges then, for the hon. Member for Cork was challenged as to the connection between the Constitutional party and the physical force party, and he got up in his place in this House and replied to the noble Lord the Member for Rossendale that it was absolutely false. Will he say so still? He said that in 1887, and we now know that the alliance existed at that time, for the Judges have declared it. I will not deal with other parts of the speech of the right hon. Gentleman the Member for Derby; I will only point out that money is still being received from the same source. For what purpose is it sent, with what purpose is it received and used? Is there any doubt that the paymasters will still demand their pound of flesh, any doubt that they will require their money's worth? I see that Lord Spencer said the other day that the dynamite party even in America, were being supplanted by the advocates of Constitutional means. What proof is there of that? I fear that "hope is father to the thought." It is true the physical force party are making no demonstrations now, but why is that? because the whole matter is in the hands of the Clan-na-Gael Committee, and they are advised it is wiser not to hold Conventions for fear the truth should leak out; for fear men should show by violent speeches that if opportunity should arise they would again advocate the use of dynamite. There is no doubt whatever that if the right hon. Gentleman the Member for Mid Lothian should carry his scheme, whatever it may happen to be, a point upon which we have no knowledge; that if a Parliament were established on College Green, and the hon. Member for Cork at the head of it advocated a moderate policy, there is no doubt the money would flow into other channels, and be sent to men who would carry on the work of violence against the moderate policy, and the influence of the hon. Member for Cork would tumble away like a house of cards. Is there any vestige of evidence of any moderation in the views of the Clan-na-Gael at the present time? The policy of the hon. Member for Cork is now what it has been. It is this:—"Do not ask us any questions, send us money. Do not hold Conventions in which awkward things may be said." The whole policy now is, as it has been in the past, and I fear it will remain for some time to come, in spite of the shame and disgust that many of their allies opposite must now feel, one that can be summarised in four short words, "More dollars, no remarks."

(8.43.) MR. R. WALLACE (Edinburgh, E.): In rising to——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being found present,

House adjourned at twenty minutes before Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 10th March, 1890.

PRIVATE BILLS.

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after Friday the 20th day of June next:

That no Bill originating in this House authorising any inclosure of lands under special report of the Land Commissioners for England, or confirming any scheme of the Charity Commissioners for England and Wales, shall be read a first time after Friday the 16th day of May next:

That no Bill originating in this House confirming any provisional order or provisional certificate shall be read a first time after Friday the 16th day of May next:

That no Bill brought from the House of Commons authorising any inclosure of lands under special report of the Land Commissioners for England, or confirming any scheme of the Charity Commissioners for England and Wales, shall be read a second time after Friday the 27th day of June next:

That no Bill brought from the House of Commons confirming any provisional order or provisional certificate shall be read a second time after Friday the 27th day of June next:

That when a Bill shall have passed this House with amendments these orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended:

That this House will not receive any petition for a Private Bill after Friday the 9th day of May next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any petition for a Private Bill approved by the Chancery Division of the High Court of Justice after Friday the 16th day of May next:

That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after Friday the 16th day of May next:

Ordered, That the said orders be printed and published, and affixed on the doors of this House and Westminster Hall. (No. 36.)

STATUTE LAW REVISION BILL.—

(No. 33.)

THIRD READING.

THE LORD CHANCELLOR: My Lords, I should simply have moved the Third Reading of this Bill, only that the noble Lord on the Cross-Benches desires me to give some explanation on the subject. I cannot help thinking that the noble Lord is, I will not say confusing, but not sufficiently discriminating between two different things—the repeal of the Turnpike Acts, which is a very serious question for consideration, and the taking out of the Statute Book those Statutes which are, in fact, obsolete. But in making that distinction I also want to say that with reference to the Turnpike Acts there is a difficulty in regard to the present year which the Bill before your Lordships is intended to remove. All the Turnpike Trusts, with the exception of one, expire in this year; there is one of them which does not expire until the year 1896. Accordingly, the second section of this Bill has been expressly framed to get rid of that difficulty, because, upon the re-printing of the Statutes, unless some provision of that sort is made, every one of those Acts referring to this matter, including an Act of George III., which is an exceedingly bulky Act, will have to be re-printed in the new edition of the Statutes, the completion of which is the great object of the Bill. With that object that section in the Bill has been devised so that only part of a very bulky Act shall be preserved, by reference to a schedule to the Bill. Therefore, until the one remaining Turnpike Trust expires in the year 1896, it will only be necessary to refer to this section of the Bill which will now, if your Lordships choose, pass into law. That is the whole scope and object of the provision made in Section 2, and the necessity for it only arises from the fact that one solitary Turnpike Trust will be outstanding until 1896, all the rest disappearing in the present year. I do not know whether the noble Lord has in his mind some objection to the alteration of the law which has prevented the continuance of the Turnpike Acts altogether. That is a totally separate question, which may be discussed on another occasion; but the question now before your Lordships is whether useless Acts which the Legislature has declared shall not in future continue in force shall be re-printed in the new edition of the Statutes. I beg to move the Third Reading of the Bill.

*LORD THRING: I trust your Lordships will accede to the request of the Lord Chancellor. This Bill deeply concerns me as Chairman of the Committee for the Revision of the Statutes; and I can only say that if you will not accept the 2nd clause of it, a hundred useless pages will have to be reprinted; for, as the Lord Chancellor has told you, in a very

few years those 100 pages will be of no effect whatever. With the object of saving almost unlimited confusion, I most earnestly again suggest to your Lordships that, in passing this Bill, you will allow a clause precluding the necessity of printing in an edition of the Revised Statutes 100 useless pages.

*EARL FORTESCUE: My Lords, as I have no intention of proposing any amendment, and much less of opposing the principle of the Bill proposed by the Lord Chancellor, I thought I should best consult the convenience of the House by deferring until this stage the very few remarks which I have to make upon the Schedule of the Bill. Before you proceed finally to expunge the Statutes comprised in it from the Statute Book, I would venture to remind you that although over a great part of the country the local Acts which called them into operation in the different localities have practically annulled them by their expiration successively, yet I would ask you to consider what the legislation is which is comprised in that second Schedule, and upon what that legislation is based. The two most important Statutes in that Schedule are known as the General Turnpike Acts, one passed in the third and the other in the fourth years of George IV., which applied to all the Turnpike roads throughout the country. Those Acts were based upon a Report of a Committee of the House of Commons in the year 1819, which very carefully investigated the whole subject. That Committee took evidence in reference to experiments which had been tried as to the best shape and width of wheels for carts and wagons as regarded their action upon the roads, and they made some recommendations on the subject which were afterwards embodied in those Statutes. I will refer your Lordships shortly to that Report, troubling you with only a line or two from it. It says—

"It is of great importance to the wear and tear of roads that wheels of moderate breadth or less than six inches should be brought into general use. With this view your Committee are disposed to recommend a general permanent scale of toll adapted to the breadth of wheels, the proportions laid down in which should be made to durate alike in all trusts and districts, it being evident that if the Legislature encourages the construction of carriages of any peculiar form they should not be liable to a preference in one district and to penalty in another. With this view they recommend that the toll payable under any Act for a carriage on wheels of 6 inches should be increased one-fourth, if the wheels (being less than 6 inches) are not less than 4½; and so an increase of one-half more than is payable for 6 inches, if the wheels (being less than 4½) are not less than 3 inches in breadth; and, further, as it is most desirable that no wagon should travel with wheels of less breadth than 3 inches, that all such should be subject to double toll."

I wish to remind your Lordships that by the expiration of the various Turnpike Acts, those provisions of the general Turnpike Act applicable to the whole country have lapsed along with them throughout the greater part of the country. Practically, the Turnpike Trusts Acts have so generally lapsed that they can scarcely be said to exist. In the absence of any legislation relating to what the Committee very rationally described as an undesirable narrowness of wheels; those who get new carts or wagons have been induced to get them with very narrow wheels. In former times even carts and wagons, which were not intended exclusively to travel on turnpike roads were to a very great extent, and in very great proportion, made of the width recommended by the Committee in order not to be exposed on the turnpike roads to these very much heavier tolls. That legislation has now lapsed, and the consequences, as I ventured to remind your Lordships the other day, will be increasingly detrimental to the ratepayers of the country, that is to the owners and occupiers of real property, because personal property escapes rates. I described the other day in general terms what the consequences had been and were sure increasingly to be, and I have received a letter from the Vice Chairman of the Highway Board for the South Molton District since I last spoke, in which he says—

"The cost of repairs for the last three years on the two miles of road from the Molland mine to the Milne Station which has been caused entirely by the carriage of heavy loads narrow-wheeled carts and wagons has been over £57 10s. per mile, while other ordinary roads have cost for repairs rather under £7."

Now, my Lords, the imposition of such a needless tax, saving shillings, as I said the other day, to the owners or purchasers of the carts or wagons, and costing the ratepayers pounds in the repair of roads, thus wantonly, needlessly, and wastefully destroyed, is an evil likely to go on increasing, because as each reasonably-

wide-wheeled cart or wagon becomes worn out it will be replaced by slightly cheaper but infinitely more destructive carts or waggons with narrow wheels, thus imposing very heavy additional charges and a much greater burden upon the ratepayers, that is to say, as I have before stated, upon the owners or occupiers of real property. I am hardly sanguine enough, particularly after what has happened in the other House quite recently, to expect that in the present Session it will be found possible to pass any legislation to encourage the reasonable width of wheels and to discourage the unreasonable and destructive narrowness of wheels; but I have taken the liberty of trespassing on your Lordships' indulgence for a few minutes in order to call attention to the matter, and I hope Her Majesty's Government may in due time be enabled to give it their consideration.

Bill read 3ª (according to order), and passed, and sent to the Commons.

COUNTY COUNCILS ASSOCIATION EXPENSES BILL.—(No. 32.)

COMMITTEE.

House in Committee (according to Order).

LORD HERSCHELL: My Lords, my attention has been called to the fact that the Preamble recites that "doubts have arisen," and having recited that there are doubts the Bill does not proceed to solve them, but only proceeds to deal with the question of limiting the amounts in degree. As I have never yet found any good to arise from Preambles, but sometimes a considerable amount of evil, I propose to amend the first clause with a view to the omission of those words in the Preamble.

Report of Amendments to be received on Thursday next; and Bill to be printed as amended. (No. 37.)

AUGMENTATION OF BENEFICES ACT, 1853.

EARL BEAUCHAMP: My Lords, I beg to move for the Return mentioned in the Motion which stands in my name, omitting the word "outgoings," which, I think, in the circumstances, is not required.

Moved,

"That there be laid before this House a nominal Return of all benefices sold under the Lord Chancellor's Augmentation Acts, showing the gross income, price, and purchaser, and also the application of the purchase money; also the names of all benefices augmented under the twenty-sixth section of the Act, and the amount in each case of the augmentation."—(*The Earl Beauchamp.*)

THE LORD CHANCELLOR: There is no objection to give this Return, but I am sorry to say that it will not comprehend very much since the year 1875, when the last Return was made. It, however, will comprehend all that the noble Lord asks for. I have twice been able to assist your Lordships' House in amending the Act, which gives power to augment benefices to an annual value of not more than £200, notwithstanding that the annual value of such benefice exceeds £1 sterling for every poor inhabitant. For some reason, on the part of some persons in another place, the hostility to the Bill was such that that Bill was blocked and that very moderate provision to increase to £200—a small limit—was rejected, and so the law remained as it was. I am afraid, therefore, the power of augmentation will not proceed with very great rapidity.

On Question, agreed to.

House adjourned at a quarter before Five o'clock till to-morrow a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 10th March, 1890.

QUESTIONS.

THE TRAMWAYS (IRELAND) ACT.

DR. TANNER (Cork, Co., Mid): I beg to ask the Secretary to the Treasury if it is the fact that, although "The Tramways (Ireland) Act, 1883," laid down that the baronies had to pay to make up the dividend of 5 per cent., and the Treasury should pay in equal proportions, not exceeding 2 per cent. on the whole capital, the Treasury, instead of paying an equal proportion, had only paid a proportion of two-fifths in the case of the Cork and Coachford Light Railway;

whether he is aware that this tramway is one of the best paying in all Ireland; and whether it is the intention of the Treasury to complete the payment due?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The guaranteed dividend of the baronies of the Cork and Coachford Railway Company being at the rate of 5 per cent. per annum, I am advised that the Government contribution, which by the 9th section of the Tramways and Public Companies' Act, 1883, is limited to 2 per cent., can only be two-fifths of the contribution.

DR. TANNER: Is the hon. Gentleman aware that Sir George Colthurst and some other landlords of Cork complained of the course which the Government were taking?

*MR. JACKSON: An inquiry has taken place, and the Treasury are acting upon legal opinion in deciding that where the guarantee of the baronies is 5 per cent., it is not necessary that the Treasury contribution should be more than two-fifths.

DR. TANNER: Is there nothing due from the Treasury?

*MR. JACKSON: I believe not; but I understand from the hon. Gentleman's question that two-fifths have been paid by the Treasury.

THE IRISH PROBATE DUTY.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the Attorney General for Ireland whether the Government propose to allocate the Irish Probate Duty, or any portion of it, as has been done in Scotland, to the benefit of primary education in Ireland, and thereby supplement the miserably inadequate salaries of the Irish national teachers?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The Government have no power to allocate in the manner suggested by the hon. Member any portion of the Probate Duties Grant coming to Ireland. Section 3 of the Probate Duties (Scotland and Ireland) Act, 1888, specifically names the objects to which the sums payable under the Act to Ireland shall be applied.

MR. P. M'DONALD: Do the Government intend to propose any change in the law?

MR. MADDEN: That is a different question, and I must ask the hon. Gentleman to put it on the Paper.

HOWTH HARBOUR.

MR. CLANCY (Dublin, Co., N.): I beg to ask the Secretary to the Treasury what progress has been made with the work of clearing out the harbour of Howth; how many days have been spent in repairing the dredger employed in the work, and what has been the cost of repairing it; whether the cost has been defrayed out of the sum voted by Parliament for improving the harbour; and whether instructions have been or will be given for deepening the east side of the harbour where boats are usually moored as well as the entrance?

*MR. JACKSON: The entrance to Howth Harbour has been deepened fully to the original depth, namely, 10 ft. low water spring tides; and I am informed that the largest fishing lugger frequenting the port has, since the deepening, entered it at low water of an extraordinary spring tide. There is, however, a small quantity of work still unfinished, which is expected to be completed before the end of the present month. The repairs and renewals of plant for the last 19 months have cost rather more than £500, which has been charged to the Vote for Howth Harbour. It is not intended to deepen the eastern side of the harbour.

MR. CLANCY: Is the money taken from the sum voted by Parliament for improving the harbour?

*MR. JACKSON: Yes.

EXTRA POLICE IN WESTMEATH.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Attorney General for Ireland how many extra police are stationed in the County Westmeath, and at what cost to the ratepayers; what is the number of police allotted to the County Westmeath by the Police Regulations, and has the full number allowed by such Regulations been employed in the county before a tax for extra police was imposed upon the ratepayers; in view of the fact that the County of Westmeath is charged with extra police, will he have the attention of the Constabulary Authorities drawn to a charge delivered by Mr. Justice O'Brien, at Mullingar, on Monday, the

3rd March, on opening the Assize there; whether the learned Judge is correctly reported to have said, when addressing the Grand Jury—

"That they were perhaps all aware that the fact of their being re-sworn was a mere matter of form, as regarded any duties they had to perform with reference to the administration of the Criminal Law. There was no bill to go before them, and he was informed that such a circumstance had not happened for a period of more than 40 years before in this county. It was not alone an exceptional but an extraordinary circumstance, and in a county which once gave rise to special legislation on account of the crimes and disturbances that spread over it, and produced what was so well-known as that highly coercive code of law called the Westmeath Act—in this county crime no longer survives—crime of any very grave or formidable character;"

whether, on this occasion, the Grand Jury presented Mr. Justice O'Brien with a pair of white gloves; and if he will now consider whether the employment of the extra police in the County of Westmeath can be given up?

MR. MADDEN: The Constabulary Authorities have reported that the extra police force in the County Westmeath consisted of 26 men. Of these, however, 23 were appointed on the requisition of the magistrates for employment on ordinary police duties, so that there are only three remaining of the force which was appointed to the county in consequence of its former disturbed state. These three men are still employed in connection with personal protection. The charge for extra police to the county, according to the last published accounts for the year to the 30th September, 1889, is about £942, but as that includes five extra men who were removed from the county in January last, the present cost is appreciably less. The free quota of police authorised for the County Westmeath is 272 men, and, allowing for the usual percentage of vacancies for recruiting, the full strength has always been kept up. The Constabulary Authorities are aware of the terms of the learned Judge's address at the recent opening of the Assizes at Mullingar. It is the case that the learned Judge testified to the remarkable improvement in the condition of the county as regards crime, and that the Grand Jury presented Mr. Justice O'Brien with a pair of white gloves. The Constabulary Authorities carefully watch the extra force in counties, and reductions are made whenever practicable.

ALLEGED TREACHERY AT TEL-EL-KEBIR.

MR. JUSTIN HUNTLY M'CARTHY (Newry): I beg to ask the Secretary of State for War whether he has made inquiry into the allegations of Arthur *v.* Palmer concerning the treacherous conduct of two "Glasgow Irishmen" at the battle of Tel-el-Kebir, made in the *Nineteenth Century* for March; and whether he has any information to give to the House?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No, Sir; it is not part of my duty to make any inquiry into this historical incident, and I feel sure that those who are in a position to contradict Corporal Palmer's statements can do so in the public Press.

MR. J. H. M'CARTHY: Am I to understand that the War Office can obtain no information upon a grave matter of this kind?

*MR. E. STANHOPE: In order to arrive at the truth of the story, I should have to go into a very careful inquiry from a number of men in all parts of the country before I could get adequate information.

MR. M'CARTHY: Is that inquiry being made?

*MR. E. STANHOPE: No, Sir, it is not.

MR. M'CARTHY: Then I beg to give notice that at the earliest possible opportunity I shall bring the subject before the House upon the Estimates.

CASHEL TOWN COMMISSIONERS.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether he has seen a report of the meeting of the Cashel Town Commissioners on Tuesday last at the Town Hall; and whether it is true, as reported, that at the commencement of the proceedings, the door of the Board room was pushed in by Sergeant Hegarty and four other policemen, and, upon being asked to leave, the sergeant refused, on the ground that he was "ordered to watch members of the National League;" and, if so, is the action of the policemen sanctioned by the authorities?

MR. MADDEN: The constabulary authorities report that it is not the case that the sergeant mentioned pushed in the door of the Board room nor that he refused to leave. The facts are, that having seen a number of members of the committee of the local branch of the National League, which was suppressed in that district as an unlawful association, enter the Commissioners' room in the Town Hall, where the League meetings were usually held, he knocked at the door, which was opened from inside, to ascertain whether a League meeting was about to be held. Upon being informed by the chairman that it was a meeting of the Commissioners he at once withdrew.

*MR. FLYNN: Did the police act under instructions, and can they on mere suspicion enter private premises against the wish of the occupiers?

*MR. MADDEN: I have stated that, under the belief that a meeting of the suppressed League was about to be held, they knocked at the door, which was opened to them, and when they were informed that a meeting of the Commissioners was being held they went away.

*MR. FLYNN: Did the sergeant enter the room?

*MR. MADDEN: No, I infer that he did not, from the statement that when he was informed that it was a meeting of the Commissioners he at once withdrew.

THE CORK POLICE.

MR. FLYNN: I beg to ask the Attorney General for Ireland if it is true that as a Mr. John M'Swiney, a respectable young farmer at Tullyland, near Bandon, County Cork, was returning home on horseback a few days ago he was met by two policemen, who seized the horse by the bridle, ordered Mr. M'Swiney to open a bag that was strapped on the saddle; that he declined to do, and asked what authority they had for searching him; and that thereupon one of the constables ripped open the bag with a knife and pulled out the contents, namely, the coulter of a plough; if the facts be as above stated, was the conduct of the policemen legal or otherwise; and, under what law or authority did they act on this occasion?

*MR. MADDEN: I have made careful inquiry, and I have reason to believe that the statement is without foundation.

NEW TIPPERARY.

DR. TANNER: I beg to ask the Attorney General for Ireland if it is true that on Thursday last, the 27th inst., the police at Mitchelstown, County Cork, tore down posters calling upon the farmers to send horses and carts, &c., to help in the construction of New Tipperary, and whether the following is correct, as given in the local papers—

"The police tore down the notices posted in the morning, and Mr. William J. Casey, secretary to the National League, immediately had the local bill poster to replace them. Sergeant Swift and a party of police tore down the posters afterwards, and threatened to arrest Mr. Casey, saying the bills were intimidatory. In the evening Mr. Casey and his friends again posted notices."

And, by whose directions and orders did the police so behave?

*MR. MADDEN: The constabulary authorities report that it is the case that the local police tore down the notices referred to. The police requested Casey to go away, and on his refusal they told him that if he did not go he would be arrested for obstructing the public thoroughfare by collecting a crowd. The police acted on their own reponsibility in the discharge of their own duty.

DR. TANNER: Is it the fact that in the evening Mr. Casey and his friends again posted notices?

*MR. MADDEN: I have no information.

DR. TANNER: Does the right hon. and learned gentleman approve of the action of the police?

*MR. MADDEN: I have no doubt that the police acted with their usual discretion in this matter.

LIMERICK POST OFFICE.

MR. O'KEEFFE (Limerick City): I beg to ask the Postmaster General if a vacancy for a first class telegraphist clerk exists in the Limerick Post Office; whether it is intended to appoint an official to that position, contrary to precedent, who is unconnected with the Limerick branch; and whether, considering that there are 15 second class clerks in Limerick at present, with services ranging from five to 20 years, any of whom are eligible for

the post and naturally expect it, and from whose ranks similar appointments have already been made, the usual custom will be adhered to with regard to the existing vacancy.

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): No such vacancy exists at present, the last having been filled by the appointment on the 11th ult. of Mr. Thomas Keefe from Queenstown. It was a matter of regret to me not to be able to fill this vacancy up from within the office, but I was assured that at Limerick there was no member of the second class who was fully qualified to discharge the duties required.

THE VICTORIAN DIVORCE BILL.

MR. SYDNEY GEDGE (Stockport): I beg to ask the Under Secretary of State for the Colonies whether the Royal Assent has been given to the Victorian (Australia) Divorce Bill; and if not, whether that consent will be withheld until this House has had the opportunity of expressing its views on the question?

*MR. JOHNSTON (Belfast, S.): Before the right hon. Gentleman answers the question I should like to ask whether he sees any reason to recommend any interference on the part of Her Majesty with the decision come to by the Colonial Government?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Government of Victoria have been informed that Her Majesty will be advised to assent to the Divorce Bill; and it would be an infringement of the Constitution of that Colony to submit to this House the question whether consent to the legislation of its Parliament should be given or withheld.

*MR. S. GEDGE: The subject is of such far-reaching importance that I will give the Government an opportunity, probably on the Colonial Vote, of fully explaining their position.

MR. HENNIKER HEATON (Canterbury): Have the Government any objection to lay upon the Table a copy of the law in question?

BARON H. DE WORMS: I have no objection to lay it upon the Table.

ADMIRALTY CONTRACTS—PROVISIONS.

MR. PICKARD (York, W.R., Normanton): I beg to ask the First Lord of the Admiralty whether he will inform the House what sum was realised by the sale of 51,219 lbs. of beef and pork sold to Messrs. Cowan and Sons, of Battersea, as "unfit for human food" during the years 1886-9; and what sum was realised for the 29,407 lbs. sold by auction during the same period, which were not so described?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The sums realised by the sale of condemned salt beef and pork were respectively £54 12s. 1d. and £164 3s. 8d. The meat sold under the second category was considered fit for consumption, but on account of the length of time the meat had been kept in stock, it was decided not to send it out again to depôts on foreign stations: and as no salt meat is issued to the service at home, the only way of disposing of this meat was by sale. Owing, however, to the possibility of meat sold as "unfit for human food" being brought into the market for sale as suitable for human food, and in view of the smallness of the sum of money involved, the Admiralty decided last year that all salt meat and salt suet condemned as unfit for the Service should be in future sent to soap boilers, and not sold by public auction. Before being sent to the soap boilers, the meat will be chemically treated so as to make its use as food impossible.

LAND TAX.

MR. ROUND (Essex, N. Harwich): I beg to ask the Chancellor of the Exchequer, whether, in ordering a new assessment of a parish for Land Tax, it is within the powers of the Commissioners to order the assessment to be made upon the rateable value of the parish, the effect of which, at the present time, is to reduce the Land Tax upon the land from 10 to 40 per cent., and to increase the taxation upon tenements and cottage property?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): All lands, tenements, &c., on which the Land Tax has not been

redeemed are liable to a fresh assessment yearly according to their annual value. It rests entirely with the Commissioners of Land Tax for the county or place of separate jurisdiction to determine what that annual value is, and they are not debarred from taking the rateable value as given in the Poor Rate as representing that value, if satisfied that it does so. I may remind the hon. Member that the Government has no power to control the discretion of the Land Tax Commissioners.

BELGRAVE CHARITY.

MR. CHANNING (Northampton, E.): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther), as a Commissioner, whether the Charity Commissioners have received and considered the resolutions passed at a recent meeting of ratepayers at Belgrave, which protests against the action of the Trustees of the Belgrave Charity land in charging £7 4s. per acre for allotments under the new scheme of the Charity, whereas land in the immediate vicinity is only fetching on an average £2 18s. 6d. per acre, and expressed as the opinion of the meeting that 2s. 1d. per hundred yards, or £5 per acre, would cover all necessary expenses in connection with the Charity lands, and in which an opinion was also expressed against the proposed selling of the part of the Charity land called the "Bull Piece;" and, whether, having regard to these matters, the Commissioners will take steps to ensure that the Trustees appointed under the said scheme shall carry out the objects of that scheme by letting the allotments at a reasonable rent, and not sell land which may be of future use for the purposes of the Charity?

MR. J. W. LOWTHER (Cumberland, Penrith): The Charity Commissioners have to-day received a copy of a resolution stated to have been passed at a public meeting of parishioners held at Belgrave on the 27th ult. It expresses no opinion against the proposed sale of the "Bull Piece." The Commissioners are informed that the Trustees have, since the passing of the resolution, reduced the price to be paid to 2s. 6d. per 100 yards. In the present circumstances the interference of the Commissioners would not appear to be necessary.

THE VAN AND WHEEL TAX.

MR. CHANNING: I beg to ask the Chancellor of the Exchequer whether he has received copies of resolutions passed by the Northamptonshire County Council and Chamber of Agriculture, drawing attention to the loss to county revenues of the sum of £800,000 proposed to be raised by new taxes on horses and vehicles in 1888, and praying Her Majesty's Government to make provision out of the probable Budget surplus to meet this loss: whether he himself, some years ago, advocated the Inhabited House Duty as a suitable tax to hand over to Local Authorities; and whether he will, having regard to the objections raised to the Wheel and Van and other taxes proposed in 1888, take into consideration the advisability of handing over to the County Councils a portion of the Inhabited House Duty, or an additional proportion of the Probate Duty, to meet the loss sustained by the withdrawal of the taxes proposed in 1888?

MR. GOSCHEN: The answer to the first question is, Yes. Sixteen years ago I advocated the transference of the Inhabited House Duty to Local Authorities, and the late Lord Beaconsfield denounced the proposal as the transference of Imperial Revenue to obscure vestries. As regards the hon. Member's third question, I must answer, as I have done before, that I am precluded by the approach of the Budget from making any statement as to the application of the surplus.

POTATO SPIRIT.

SIR JOHN LUBBOCK (London University): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the fact that potato spirit was being introduced from the Continent flavoured so as to resemble, and subsequently sold as, rum; and whether Her Majesty's Government would take steps to put a stop to this system of adulteration?

*MR. GOSCHEN: I am aware that representations have been made to the Customs authorities that much of the spirit which is imported into this county from the Continent as rum is factitious. The question of adulteration of imported liquors does not, however, concern the

Customs Officers, but is one as to which it rests with purchasers or consumers to take action under standing Acts on the subject.

OCCUPATION OF ZEYLAH, BULHAR, AND BERBERA.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India on whose account, at whose expense, and on what title Zeylah, Bulhar, and Berbera are occupied by British troops; whether the natives, who are represented as raiders, have ever recognised the British occupation, or have openly resisted it; whether the late expedition was ordered to carry on a war of punishment by the destruction of wells and private property; and, if so, whether those orders were given by the Indian or the British Authorities.

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The circumstances and conditions under which the Somali Coast was occupied by British troops will be found in detail in Parliamentary Return, Egypt, 14th, of 1885. In reply to the second paragraph of the hon. Member's question, the natives have recognised the British occupation, though that had nothing to do with the expedition. Bulhar, on which the raid was made, is not in their territory. In answer to the last paragraph of the question I may say that the expedition was punitive. It was ordered by the Government of India. No instructions for the destruction of wells and private property were given.

SIR G. CAMPBELL: Then am I to understand the right hon. Gentleman to tell us that where the destruction of property occurred the expense will be paid by the Government?

SIR J. GORST: I have no information that any private property was destroyed. If the hon. Gentleman believes that there was he had better give notice of a further question.

GREENWICH PENSIONS.

CAPTAIN PRICE (Devonport): I beg to ask the Lord of the Admiralty what is the sum estimated for payment of Greenwich Age Pensions to seamen between the ages of 50 and 55, who belong to the Seamen Pensioner Reserve, and what number of pensioners, eligible under the regulations for age pensions, are now unable to receive them by reason of the fund not being sufficient?

A LORD OF THE ADMIRALTY (Mr. ASHMEAD-BARTLETT, Sheffield, Eccleshall): The charge to Greenwich Hospital funds on account of age pensions to 446 men between 50 and 55 years of age belonging to the Seamen Pensioner Reserve is £3,389 12s. a year. The number of pensioners over 55 years of age who are not in receipt of Greenwich age pensions is about 2,800.

PRISON CLERKS.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Secretary of State for the Home Department whether he has received the letters addressed to him on the 26th November last, by the clerks serving in Her Majesty's Prisons, and whether he is prepared to recommend to Her Majesty's Treasury the inclusion of these clerks in the new scheme for the Lower or Second Division?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; I have received applications for an improvement in their pay and status from 72 of the clerks employed in convict and local prisons. I have forwarded these memorials to the Treasury and have invited their favourable consideration of the case of the prison clerks. I am still in communication with the Treasury, but the matter is too complex to admit of the simple remedy proposed by the hon. Member. I have not, therefore, made the specific recommendation referred to.

THE CENTRAL TELEGRAPH OFFICE.

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General with reference to the promotion of the two telegraph clerks in the Central Telegraph Office over the heads of their seniors, whether he is aware that no opportunity of competing was given to other members of the staff claiming to be equally qualified in shorthand, and otherwise, who had from two to three years longer service, and on what ground this preference was given to the two clerks so promoted; whether any instructions are given to clerks on entering the service as to the advantages which these extra qualifications bring to the clerks; and whether it is to be now understood that preferential promotions are made in the

telegraph staff on account of other than telegraphic qualifications; I have also to ask on what grounds Messrs. C. Hughes and C. H. Garland, clerks employed at the Central Telegraph Office, were recently punished, the former in two hours extra duty without pay, and the latter suspended from duty for six hours; whether there was anything more than suspicion against them that they, being members of the Committee of the Postal Telegraph Clerks Association, were, during official hours, discussing the affairs of the Association; whether the two clerks denied the charge, and no evidence was produced to warrant any such suspicion; whether reparation will be made to these clerks; and whether it is usual to punish telegraph clerks at the Central Office on mere suspicion; further, I desire to know from the right hon. Gentleman whether he is aware that a considerable number of applications have been made by clerks living from three to 10 miles from the Central Telegraph Office, praying for a dinner hour when on 2 p.m. to 10 p.m. duty; whether every such application has been refused, and in some cases attempts have been made to punish the applicants in various ways; and whether, considering the clerks' liability to be kept on duty for hours after 10 p.m., he will consider the desirability of giving a dinner time to these clerks?

*MR. RAIKES: The two telegraphists in the Central Telegraph Office who were promoted over the heads of their seniors were not promoted until diligent inquiry had been made with a view to ascertain whether anyone senior to themselves was qualified for the duties to be performed, but no seniors with the necessary qualifications could be found. It has not been considered necessary to give instructions that in selecting for exceptional positions special qualifications of obvious utility will be taken into account. Messrs. Hughes and Garland were punished, not on suspicion of discussing this or that, but for the undoubted fact that they were absent from their posts without leave. It is not the practice of the Department to make reparation for punishments inflicted in cases of proved breaches of ordinary regulations. I am aware that telegraphists who do not attend before two o'clock in the afternoon have not infrequently applied that time might be allowed them after coming to the office for the purpose of taking dinner. I think there is really no ground for complaint, because this meal is required to be taken before the commencement of this duty, but I am not aware that anyone has ever been punished for making such a request. Although those attending from 2 p.m to 10 p.m. are not allowed a dinner half-hour, they are supplied with refreshments each day about 5 p.m., and they have also facilities for procuring supper before they leave at 10 p.m.

MR. M'CARTAN: What opportunity was given to clerks who possessed the qualification?

*MR. RAIKES: I understand that a careful inquiry was made as to the qualification of the clerks, because it has always been thought desirable, as far as possible, to promote the senior officers. But the Controller satisfied himself that no clerk possessed the necessary qualification.

MR. M'CARTAN: Are we to understand that an opportunity of competing was afforded to all the clerks; and with regard to Mr. Garland, is it not the fact that he asked permission to go away and was not away without leave?

*MR. RAIKES: My information is to the contrary.

THE NEWFOUNDLAND LOBSTER FACTORIES.

DR. TANNER: I beg to ask the Under Secretary of State for Foreign Affairs whether it is the intention of the Government to protect Newfoundland lobster factories from interference by the French during the coming season; and whether the Government will claim compensation for boats and nets, should any be destroyed by the crews of French fishermen in the absence of men-of-war?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Negotiations are in progress with the French Government, and will, it is hoped, be shortly brought to a satisfactory termination, for settling the conditions on which the lobster fisheries in Newfoundland shall be carried on during the ensuing season. Her Majesty's Government know of no reason to apprehend destruction of boats and nets by French

fishermen in this any more than in previous years; but in case of illegal damage to British property the matter would, of course, be treated between the two Governments in accordance with international law and usage.

DR. TANNER: May I ask the First Lord of the Admiralty whether he is aware that orders have been given to French officers to enter the lobster factories and confiscate the property of the fishermen?

LORD G. HAMILTON: No orders that I am aware of have been given to French officers in contravention of the Treaty.

DR. TANNER: If I put a question on the Paper will the noble Lord be good enough to answer it categorically?

LORD G. HAMILTON: No, Sir, I cannot undertake to do that.

DR. TANNER: I shall put it.

BETTING AGENTS.

MR. MATTHEW KENNY (Tyrone, Mid): I beg to ask the Attorney General if his attention has been directed to a decision in the case of Blake *v.* Morse, tried before Lord Justice Fry (and reported in the *Times* of 7th March), in which the plaintiff, a "betting agent," sought to recover a sum, claimed as due, on a balance of account on bets alleged to have been made by the plaintiff for the defendant as his betting agent, and with regard to which, in giving judgment for the plaintiff, Lord Justice Fry is reported to have said—

> "This belongs to a class of actions which, I fear, have become more numerous in consequence of the decision in the case cited (Reed *v* Anderson, 13 Q. B. Div. 779), in which I, no doubt, found myself obliged by legal principles and authorities to concur, but the social effects of which are nevertheless to be regretted;"

and whether, in view of the fact that these decisions, and some others of a similar character, deprive Section 18 of Act 8 and 9 Vic. c. 109, of a considerable portion of its value, he will undertake to introduce a Bill dealing with the matter, so as to render all bets by way of gaming and wagering, whether by principal or agent, null and void?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I have seen the report of the case referred to in the hon. Member's question. I am aware that the existing state of the law enables betting to be carried on in many instances in which it would be well if it could be prevented, but the subject is one of so much difficulty that I am afraid I cannot undertake to introduce a Bill dealing with the matter.

POST OFFICE SURVEYOR.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Postmaster General whether it is probable that an early appointment will be made to fill the vacancy for a Post Office Surveyor, created by the retirement of Mr. Freeling on the 1st January last; and what is the cause of the delay in filling this vacancy?

*MR. RAIKES: I am considering whether by means of a re-adjustment of districts it may not be possible to reduce the number of surveyors; and until a decision has been come to on this point I am unable to say whether the vacancy in question will be filled.

THE CUSTOMS.

MR. PICKERSGILL: I beg to ask the Secretary to the Treasury whether it is intended to create a permanent class of writers in the Statistical Department of the Customs called statistical abstractors, as recommended by a Departmental Committee, constituted of Mr. Robinson, Mr. Giffin, Mr. Puller, and the late Mr. Seldon; if so, when; and, if not, what alternative course does the Treasury propose to adopt?

*MR. JACKSON: The hon. Member has, perhaps, not seen the answer that I gave on this subject to the hon. Member for North Westmeath in March, 1888.

THE TRANSVAAL.

MR. O. V. MORGAN (Battersea): I beg to ask the Under Secretary of State for the Colonies whether he is in possession of further intelligence from Johannesburg beyond that given in the *Times* of this morning; whether Mr. Frank Williams, the British Representative at Pretoria, has left the Transvaal for good; and, if so, whether a new Representative will be appointed?

BARON H. DE WORMS: The Secretary of State has no further information on this subject. Mr. Ralph Williams is coming away on leave, and, therefore, the question of appointing a new Representative has not arisen.

SHIPS (TYNE AND CARDIFF.)

(4.0.) Returns ordered—

"Of all English Ships loaded with dead-weight cargo at the ports of the Tyne and at Cardiff during the three months ending the 31st day of December 1889, giving the names of the Ships, the net register tonnage in each case, and also the weight of coal actually loaded.

"And, of all Foreign Ships loaded at these ports."—(*Mr. Burt.*)

PUBLIC PETITIONS COMMITTEE.

Third Report brought up, and read; to lie upon the Table, and to be printed.

NEW MEMBER SWORN.

Henry John Cokayne Cust, Esq., for Lincoln County (South Kesteven, or Stamford Division.)

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to amend the Law as to the Endowment of the Archdeaconry of Cornwall." [Archdeaconry of Cornwall Bill [*Lords.*]

And, also, a Bill, intituled "An Act for further promoting the Revision of the Statute Law by repealing enactments which are superfluous, or have ceased to be in force, or have become unnecessary." [Statute Law Revision Bill [*Lords.*]

MOTIONS.

SPECIAL COMMISSION (1888) REPORT.

Motion made, and Question proposed,

"That this House will immediately resume the Adjourned Debate on the Amendment [3rd March] to the Motion relating to the Report of the Special Commission (1888)."—(*Mr. William Henry Smith.*)

(4.5.) MR. HALLEY STEWART (Lincoln, Spalding): Upon a point of order, Mr. Speaker, I wish to ask your ruling whether it is competent for the First Lord of the Treasury to make this Motion without a notice which must obviously have been given during the sitting of the House? I find in Sir Erskine May's *Parliamentary Practice*, on page 284, this passage—

"It is ordered that all dropped Orders of the Day be set down in the Order Book, after the Orders of the Day, for the next day on which the House shall sit."

But in construing this Order it must be understood that if an Order of the Day has been read and proceeded with, and the House is adjourned before it is disposed of, it is not treated as a dropped Order, but, being superseded, must be revived before it takes its place again in the Order Book. Again, on page 295, Sir Erskine May says—

"If a Notice of Motion be dropped by the Adjournment of the House before it has been disposed of, it is usually renewed and put down in the Notice Paper for some other day, under the same conditions as an original notice."

What I wish to ask of you, Mr. Speaker, is whether this Order, having become a dropped Order, can be revived without distinct notice having been given?

*(4.7.) MR. SPEAKER: The latter point in the hon. Gentleman's question contains no analogy, because I think it refers to a Notice of Motion, which is a totally different matter. It is absolutely necessary for a Motion of this sort to be made, in consequence of the count-out of the House on Friday, that that which has become a lapsed Order should be revived, and due notice should be, and has been, given.

(4.8.) SIR W. HARCOURT (Derby): I suppose nobody would doubt that it is necessary that notice of Motion should be given to revive the Order. That is quite clear in the case of a dropped Order; but the question is rather a different one here. What notice is to be given? Is it a proper notice to revive the Order if it is given on the day on which the Order is to be revived? Whenever notice is given in this House it is given the day before, and put down the day before when the House is sitting. There is a case referred to in May's book illustrating his ruling that a notice must be given, and there the case shows that the notice is not given on the day when the notice of Motion is made, but previously. That is the case of the Reformatory Schools (Scotland) Bill on May 9, 1856. The House was counted out on that Motion. I find in the Journals that upon May 10 it was resolved that

"Upon Thursday, the 22nd inst., the House resolve itself into Committee on the Reformatory Schools (Scotland) Bill."

There was a notice made to revive upon a future day, not upon the same day on which the notice was given. Indeed, I do not exactly know how this notice comes on the Paper. By what

order of the House is it there? What I understand is this—I know that, in practice, occasionally notices are given to revive Committee of Supply, which I imagine stands on a different footing. At all events, I never heard of a notice of that kind which was opposed, and many things can be done by permission of the House which are not in accordance with the orders of the House. What we ask your ruling upon is whether a notice which has not been put down while the House was sitting in the regular form, so as to be a part of the regular Notices and Orders, can be taken on the next day as part of the Orders of the House and without the consent of the House?

*(4.10.) MR. SPEAKER: The practice pursued in this case is that which has been invariably followed in the case of Supply. I know of no other practice. And when Supply has been counted out on Friday it has to be set up by a notice on Monday. I know of no distinction between Supply as an Order of the Day and any other Government business which has been, up to the count-out, an Order of the Day. I know nothing about the notice; but I assume that proper notice has been given, and that it is competent for the House to go on under that notice with that which was interrupted on Friday night, by what I suppose I may say was an accident, provided that it is convenient to the House that it should be pursued on this the next following day.

(4.11.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): If, Sir, your statement is that the case of Supply has not been treated specially, but that you are able, as the Speaker of the House of Commons, to say that all other Motions fall under the same governing considerations as a Motion of Supply, that, I should take it, is quite conclusive on the point at issue. I own I had been under the impression that Supply had been subject to special treatment.

*MR. SPEAKER: I said that I knew of no distinction between Supply as an Order of the Day and any other Government business which up to the time of its interruption had been an Order of the Day; but I know of no case of an Order of the Day other than Supply which has been counted out on Friday night being set up in this way.

MR. W. E. GLADSTONE: It appears from the case quoted by my right hon. Friend that there is a distinct precedent to the opposite effect, namely, a case where a debate on an Order of the Day was dropped and revived by a regular notice. But another question has come up with regard to the notice. I have always understood two things with regard to notices. One is that a notice given during the sitting of the House is no notice at all except for a subsequent sitting of the House. The second thing is that no notice can by any possibility be given so as to be a good notice except when the House is sitting. I would, therefore, ask the right hon. Gentleman opposite, though it is hardly necessary, whether this notice was given when the House was sitting? These are questions of considerable importance.

*(4.12.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Notice was given of the Motion precisely as in the case of Motions in relation to Supply when Supply is counted out. I am not concerned to describe the incident of Friday night. I think we may fairly consider it to be an incident which will not occur again. I acknowledge it is the duty of the Government to endeavour by all means to keep a House when Government business is in progress, and especially on Friday. [*Cries of* "Order!"]

*MR. SPEAKER: It will be better that the right hon. Gentleman should reserve his remarks for the Motion.

*(4.13.) MR. BRADLAUGH (Northampton): Upon the point of order, I wish to ask if it is competent for any Member to hand in a notice of Motion after you, Sir, have left the Chair, directing that any particular Order of the Day shall have precedence over any other Order?

(4.14.) SIR W. HARCOURT: One other question, Sir, I would venture to submit to you. This notice must have been put upon the Paper by the officers of the House. I want to know by what authority, when the House is not sitting, a notice is put upon the printed Papers of the House; and whether, if the Government may do it, any other Member may do so also? That is a question which lies at the root of all our business.

*MR. SPEAKER: No liberty ought to be taken by the Government or any individual in the House. I know nothing of when the notice was given, or

how it appears on the Paper. I imagine it must have been given during the sitting of the House.

SIR W. HARCOURT: Then I ask the right hon. Gentleman, was this notice given when the House was sitting?

*MR. W. H. SMITH: The notice was put on the Paper precisely as in the case of all notices relating to Supply when it has been dropped—that is, the moment the count-out took place.

(4.15.) SIR W. HARCOURT: Now I am in a position to ask whether a notice put on the Paper after the House has risen was a notice which the clerks at the Table or any other officer had authority to put upon the Paper; and whether it ought not to be treated as if it were not on the Paper at all?

(4.16.) MR. SEXTON (Belfast, W.): Upon the question of order, I beg to inform the House that I came to the Table some minutes before you had left the House, and the clerks had not then received the notice of the First Lord of the Treasury.

*MR. SPEAKER: With that matter I am not in any way competent to deal. The only precedent I know of for this course is the case of notice for the revival of Supply on a Monday.

(4.17.) MR. T. M. HEALY (Longford, N.): May I submit to you, Sir, that Supply is governed by a Standing Order, which requires the Government to put down Supply on Monday, Wednesday, and Friday? That establishes a great distinction between this case and that of Supply; and the question arises, by what authority are the Government making a new precedent, and by what authority have the clerks at the Table put this down as the first Order? Supply may be put down, of course, in any state of the Paper, and in any part of it.

*MR. SPEAKER: In the case of Supply it does not follow, although it may be put down for Monday, Wednesday, and Friday that it will be taken. I did not quite catch what the other question of the hon. and learned Gentleman was.

(4.18.) MR. T. M. HEALY: This particular matter appears on the Paper of to-day as an Order of the Day. Supply is governed by a Standing Order, which obliges the Government to put it down on Monday, Wednesday, and Friday; but this is not an Order of the Day, and, not being so, how is it that it happens to figure as an Order of the Day?

*MR. SPEAKER: I am not concerned in defending any particular course as long as it is consonant with order. With respect to the fact that a notice of Supply may occupy any place on Monday's Paper, I would point out that it does not follow that Supply will be taken on Monday because it appears upon the Paper.

MR. T. M. HEALY: This particular matter cannot be an Order of the Day, because you, Sir, could not put the Question on Friday that it be taken to-day. How is it, then, that it appears on the Paper as an Order of the Day, and, moreover, as the first?

*MR. SPEAKER: It can only come on as the first Order of the Day after the Motion of the First Lord of the Treasury that it be renewed has been carried. The hon. and learned Member will observe that, whilst the subject appears on the Order Paper, there is a line between it and the other Orders of the Day showing that it is of a somewhat anomalous character.

(4.20.) SIR W. HARCOURT: You have been asked so many questions, Sir, that I must apologise for troubling you further. We have not yet had an answer to the most important question of all. I want to know whether, if a private Member has his Motion or his Bill counted out on a particular day, he can go to the Clerks' Table immediately afterwards and give notice, and then move at 4 o'clock on the next day that his Motion or Bill be taken that day and the debate resumed? If he cannot, and if the Government are in order in the course which they now propose to take, of course every private Member is placed on a different footing from that occupied by the Government.

*MR. SPEAKER: It is not every Member of the House who could make the Motion referred to by the right hon. Gentleman. Motions at half past 4 o'clock relating to the business of the House are Motions reserved for Members of the Government. Therefore there is a distinct difference between a private Member's position, and the position of the Government in relation to the arrangement of business.

*(4.21.) MR. BRADLAUGH (Northampton): Upon the question of order I beg respectfully to repeat the question which I put a short time ago, namely, whether it is competent for any Member of this House to hand in after you have left the Chair a notice of Motion that some particular Order of the Day shall take precedence of the other Orders? On the face of this notice—number 1 — it is clear that it must have been handed in after you, Sir, left the Chair, because it refers to an adjourned debate, which was only adjourned when you left the Chair. Is it competent for any other Member of this House, after you have left the Chair, to hand in a Motion to the clerks at the Table, that a particular Order shall have precedence over the ordinary Orders?

*MR. SPEAKER: That is a question which I have repeatedly answered already. I have said that I do not know any distinction between the Order for Supply and the other Orders of the Day. Supply can be taken on certain days, even without notice, and can be set up without notice.

(4.22.) MR. LABOUCHERE (Northampton): There still appears to be some ambiguity as to when this notice of Motion was given. The right hon. Gentleman the First Lord of the Treasury says that he handed it in the moment the count-out took place. May I ask the First Lord this distinct question: Was this Resolution handed in to the clerks at the Table after you, Sir, had left the Chair?

*MR. W. H. SMITH: Immediately afterwards. I think I have already said so distinctly; but I would point out that the House has already made an order, giving precedence for this debate over all other Orders and business.

MR. LABOUCHERE: You, Sir, repeated just now certain words of the First Lord, which left the matter in a state of doubt. The right hon. Gentleman has now distinctly stated that the Motion was handed in after you left the Chair, and after the House had risen. May I ask, Sir, whether, under those circumstances, it is competent for this Motion to be made; and whether it is in accordance with the Rules of the House that such a Motion should be taken to-day?

*(4.24.) MR. SPEAKER: When a "count" takes place the fact can only be known at the moment when I have counted the Members present and found them to be less than 40. It is therefore quite possible that, technically, I had left the Chair when the order of the Government was handed in to the clerk at the Table; but the point of difference between my being in the Chair and having technically left it is very minute.

MR. LABOUCHERE: I wish respectfully to point out that my hon. Friend the Member for West Belfast (Mr. Sexton) distinctly states that he went to the Table some minutes after you had left the Chair, and that the notice had not then been handed in.

MR. BUCHANAN (Edinburgh W.): I desire to say a word upon the point of order. You, Sir, have stated that the Order of the Day for resuming the adjourned debate upon the Commission Report is now a lapsed Order. The question I have now to put has reference to the second Motion which stands in the name of the First Lord of the Treasury. I want to know whether, as it relates to an Order of the Day which is not now an Order of the Day it can be put from the Chair?

*MR. SPEAKER: The second Motion will probably follow the first, if the first is carried.

(4.25.) MR. HALLEY-STEWART: As this is creating a new precedent, may I ask if we can have stated to the House the time at which the notice was handed in?

*MR. SPEAKER: I know nothing about that. The Question I have to put is—

"That this House will immediately resume the Adjourned Debate on the Amendment [3rd March] to the Motion relating to the Report of the Special Commission (1888)."

(4.27.) MR. T. M. HEALY: I think that the House is entitled to have some information from the Government as to the exact meaning of the Motion. In the first place, it does not appear in the usual way upon the Paper, but in italics; and I wish to know whether, in future, every private Member will have an opportunity of handing in Motions like that of the First Lord of the Treasury? I am anxious to assist the House in every way; but if by our good nature we allow this Motion to be carried it may afterwards be regarded as a precedent entitling private Members at any time they may choose between the rising of the House

on one day and meeting again on the next, providing the printers can take it, to communicate to the clerks any Motion they may desire to have placed on the Paper for the following day. I wish to know whether these facilities are to be confined to the Treasury Bench, or is the entire House to take part and share in them? Personally, I do not care much about the matter one way or the other; but to the House generally it is a question of the keenest interest as to whether Motions of this kind for the resumption of a debate can be made or not. It is the first instance that anything of the kind has been attempted; and when a novel course of procedure was proposed to be taken by the First Lord last year in reference to the Tithe Bill the Chairman gave a distinct ruling that it could not be done. The Speaker has said that there is no precedent for the course proposed to be taken. We must not forget that it is a Conservative Government which is proposing to take this course—a Constitutional Government which desires to introduce these novelties into the proceedings of the House. I venture to submit that if this Motion is carried now private Members will in future have no protection whatever in regard to the arrangements between the Government and the clerks at the Table. The Government have had granted to them, although with considerable reluctance, a Standing Order by which they are able to arrange the business of the House; but this Motion amounts to a very considerable extension of that Order. In other words, a matter that is absolutely dead is placed on the Paper, the notice reviving it appears on the Paper, and the dead notice has precedence over the notice of revival. I always understood that it was the practice for you, Mr. Speaker, at the close of Question time, to call on the clerk to read the Orders of the Day. This is not an Order of the Day, and when you call upon the clerk at the Table to read the Orders of the Day, he will read a matter which has been separated from the Orders of the Day by a dash. This is reducing Parliamentary procedure to an absolute absurdity. Accordingly, when the Speaker calls upon the clerk at the Table to read the Orders of the Day, the clerk will have to read "Order of the Day with a dash."

Mr. T. M. Healy

*(4.33.) Mr. SPEAKER: This is not a matter to be turned into ridicule in any way. The point raised by the hon. and learned Member is of great importance. First of all I would say that the reason why the "A" appears to the Order is that there is an Amendment down on the Paper, asking Members' attention to the Amendment. As to the time at which notices are handed in to the clerk at the Table, I attach great importance to that matter; because it is obvious that there must be a limit of time within which notices are handed in. It is the common practice that notices of Motion by private Members are handed in to the clerk after the House has risen. For instance, Amendments to Bills in Committee are constantly received after the House is technically up. I only mention that as showing that there is no absolute limit of time within a few seconds, or even a minute, so long as the convenience of the House is considered in the matter. I would not permit any undue advantage to be taken as to the time at which notices are receivable when there is a stress of Members handing in notices.

(4.36.) Mr. T. M. HEALY: I have no intention to treat the question with ridicule. But the matter does seem to me to be a little absurd. This is not an Order of the Day, and it is not numbered, inasmuch as the "A" only means that there is an Amendment. As it is not numbered, by what right will it be taken? Then, with regard to the second matter, this is a question which affects the procedure of the House and the business of the House, and does not merely affect the Order of the Day. I hope, therefore, that it will not be drawn into a precedent. If it is made a precedent, it will be within the competence of any Member of the House to require the clerk at the Table to take from him notices affecting the Government or the business of the House upon the very next occasion when the House sits. The Government has done so on the present occasion. May I respectfully suggest that there should be some declaration from the Chair that this particular action on the part of the Government must not be drawn into a precedent. The Government are entitled to less, not more, consideration than private Members, because they have already ample power over the business of the House.

(4.38.) MR. LABOUCHERE: There is another question which I should like to put to the First Lord of the Treasury. It was generally agreed that the debate upon the Amendment of the right hon. Gentleman the Member for Mid Lothian should come to an end this evening. When that was agreed it was understood that the matter was to be debated all last week; but by the action of the Government—the right hon. Gentleman has admitted it was an accident—we will say by the accident of the Government, we were deprived of debating this question for several hours on Friday. We know that the debate is likely to go on after 12 o'clock, with the result that the speeches made at an early hour of the morning will not be fully reported. Under the circumstances, I think we ought not to agree to the Motion until we know distinctly what are the intentions of the Government. Is it intended that there should not be a Division taken to-night on the Amendment of the right hon. Gentleman the Member for Mid Lothian, or that the new Resolution and the Amendment of the hon. Member for Stockport should be taken to-night?

*(4.40.) MR. W. H. SMITH: The hon. and learned Member for Longford spoke of this as the extension of the Standing Order. I think he will find there is no extension of the Standing Order; that we are following as nearly as we can the precedents which have guided us in the course we are now taking, and which we take, I think, for the convenience of the House. The hon. Member for Northampton has pointed out that it was generally understood that there should be a Division to-night on the Amendment of the right hon. Member for Mid Lothian. I think it is the first duty of the Government to endeavour to carry out an understanding arrived at between the two sides of the House. I deeply regret the count-out on Friday night. There were 25 Members on this side of the House and only 10 on that side. [*Opposition cries of* "No."] There were certainly 10 of my hon. and right hon. Friends on this Bench. I regret that there were not more. But I can only offer an excuse which I hope will be accepted—that when Members are frequently called from their dinners to find that their services are not required in the House to make a quorum, they sometimes think that they will not be wanted when the bell rings, and they remain in the dining room. There have been occasions during the present Session when directly you, Mr. Speaker, have returned to the Chair, a count has been moved in a similar way. Members have dropped in, and when they have found that the numbers were greatly in excess of what was required to make a House, it is only human nature, I think, that they should not always respond to the bell. I do not know whether it is possible to appeal to hon. Gentlemen to consider a little the convenience of Members of this House; and when they are aware of the fact that there are in the House many more than are required to make a quorum, whether they think it quite right to deprive hon. Members of the short period of rest which custom has sanctioned. The count was moved on the other side, and interrupted a speech which, I have no doubt, would have been an exceedingly interesting one. I regret that the hon. and learned Member is not able to make his speech; but I hope he will feel that the Government were not intentionally any party whatever to the accident. The hon. Member for Northampton has asked what are the intentions of the Government. I thought it was sufficiently understood that we propose, with the consent of the House, to take a Division on the Amendment of the right hon. Gentleman opposite this evening. There are, I believe, three or four other Amendments on the Paper; four, I think. Obviously, if the House desires to debate these Amendments it will be unreasonable to ask the House to sit until these Amendments are disposed of. I wish to consult the convenience of the House entirely. With regard to the Motion of which I have given notice, as to the suspension of the 12 o'clock Rule, in putting that Motion on the Paper I desired again to consult the convenience of hon. Members. It is sometimes exceedingly inconvenient that we should be confined to 10 or 15 minutes at the conclusion of a speech. But I hope it will not be necessary to prolong the debate much after, or even up to, the hour of 12 o'clock. But in order that any Member who may be speaking at

that time may not be forced to come to an abrupt conclusion, I hope the House will accept my Motion.

(4.45.) MR. W. E. GLADSTONE: The right hon. Gentleman has stated the case fairly to the House. I, for my part, recollect miscarriages of this sort in former times. I have known cases where Members of the Government have been sharply attacked for lapses of this kind. I have thought it hard, and suffered under it, and I should be sorry to follow such a precedent on this occasion. I think the gentlemen whose business it is to look after the attendance of Members discharge their duty to the best of their ability, and, so far as we are entitled to speak, give general satisfaction. I may say the same of the gentlemen sitting at the Table, who have to discharge duties in circumstances of difficulty; and we all feel very much indebted to them for the ability and impartiality with which they discharge their duty. At the same time, however, I must say, looking to the conversation we have had this evening, that my mind is not without uneasiness with regard to its purport. It appears to me that there is a call for some further inquiry and consideration into the matter. Some important questions are raised which I think it would be well should be definitely settled—for instance, in regard to the question whether a notice can be received by the clerk at the Table after the House has ceased to sit. It appears to me that whatever is done in that respect ought to be done in accordance with some rule which shall be generally made known to the House. I do not question your ruling, Sir, especially with regard to the special and exclusive rights of the Government in respect to making Motions at certain times for the purpose of regulating the business of the House. At the same time, I think it would be very desirable that these rights should be carefully defined. There is nothing, it would appear, if this were to be taken as a precedent, to prevent the Government from giving notice at the end of a Tuesday evening that at the beginning of the Wednesday sitting they would move the setting aside of private Members' notices in order to take business of their own which might be low down on the list of Orders. I do not say that this would be done; but it ought not to be within the power of the Government. I hope that steps may be taken to place these matters on a clearer footing than they now stand. With respect to the proposals of the right hon. Gentleman for to-night, I think they are perfectly fair. For my own part, I had hoped up to a certain time that we might conclude the whole of this matter to-night. With regard to the other Amendments on the Paper, I may perhaps be allowed to say that one or two of them rather appear to have been placed on the Paper with a view of exhibiting the public capacity and ability of those who drew them; but there is on the Paper one Amendment, standing in the name of the hon. Member for Stockport (Mr. Jennings), which is material, and which presents the subject in a light totally different from that presented either by the original Motion or by my Amendment. I am therefore glad that the right hon. Gentleman is willing to leave it open, so that if there is a desire to discuss that Amendment, as there probably may be, we shall not be deprived of the opportunity. I understand that he will not have any objection to any reasonable proposal for the separate consideration of that Amendment, which, however, so far as I can judge, need not occupy a very great deal of the time of the House.

*(4.51.) MR. BRADLAUGH: I attach some importance to a portion of the point now before the House. I do not desire to oppose the Motion of the right hon. Gentleman; but it does seem to me that if the Motion is passed without a proviso that it is not to be regarded as a precedent, it will put upon the Journals of the House a very dangerous precedent.

*MR. W. H. SMITH: Perhaps I may be allowed to remark upon the observations of the right hon. Gentleman the Member for Mid Lothian, in reference to the observations that have just fallen from the hon. Member. I think it is reasonable we should consider this question with regard to the Orders of the House; and I will place myself in communication with Mr. Speaker and the right hon. Gentleman with a view to considering whether a Rule on this subject should be added to the Orders of the House.

Question put, and agreed to.

BUSINESS OF THE HOUSE (EXEMPTION FROM STANDING ORDER, SITTINGS OF THE HOUSE).

Ordered—

"That the proceedings on the Motion relating to the Report of the Special Commission (1888), if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House.'"—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

SPECIAL COMMISSION (1888) REPORT.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment [3rd March] to Question—

"That, Parliament having constituted a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons, and the Report of the Commissioners having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matters referred to them; and orders that the said Report be entered on the Journals of this House."—(*Mr. William Henry Smith.*)

And which Amendment was—

To leave out from the first word "House," to the end of the Question, in order to add the words, "deems it to be a duty to record its reprobation of the false charges of the gravest and most odious description, based on calumny and on forgery, which have been brought against Members of this House, and particularly against Mr. Parnell; and, while declaring its satisfaction at the exposure of these calumnies, this House expresses its regret for the wrong inflicted and the suffering and loss endured, through a protracted period, by reason of these acts of flagrant iniquity,"—(*Mr. W. E. Gladstone,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

*(4.53.) MR. BRADLAUGH: I rise to order, Mr. Speaker. I desire to ask you, now that the two Resolutions have been carried, if it will be competent to proceed beyond the adjourned debate on the Amendment? The House has ordered that it is the adjourned debate that shall take precedence of the other Orders of the Day

*MR. SPEAKER: I know of no reason why, if the debate is concluded within the limits of the ordinary time, the rest of the Paper should not be proceeded with.

SIR W. HARCOURT: No doubt the Motion is very curiously worded. The debate was not adjourned, but the House, and therefore the Motion is wrongly worded in that respect. Then the Order of the Day is that we are to discuss the Amendment, and the Amendment only. There is no Order of the Day to discuss the Motion, and therefore, as I understand, upon this Order the Motion could not be put.

*MR. SPEAKER: I think it is proper to read the original Motion and the Amendment together—they are technically both before the House.

(4.55.) MR. SEXTON: I have to thank my hon. Friend the Member for Edinburgh (Mr. Wallace), who was addressing the House when it was counted out on Friday night, for allowing me to intervene at this point of the debate. Sir, after what happened on Friday night, I think the Government will find it hard to persuade the country that they regard the matter of this Motion as being of real importance. Ministers themselves refused to come from the dining room in order to facilitate their great Act of State against traitors and conspirators; they allowed it to drop, as if it had been the paltriest Motion ever offered by a private Member. Many passages from the Report of very trivial importance have been quoted from the other side of the House, and many passages of significance have been entirely neglected. Amongst the latter I may note one. The Commissioners inform the House in their Report that their inquiry has been carried out under an unprecedented statute. Certainly never before has any Government of England striven to get rid of or to destroy the representatives of a whole nation by means of a criminal proceeding. The Government upon the result of an unprecedented statute found an unprecedented Motion. They ask the House to constitute itself a final Court of Appeal—a Court in which the respondents will be among the Judges, a Court composed of 670 Members, only eight of whom have any real knowledge of the evidence. Her Majesty's Government propose to ignore the warnings of the Commissioners that, as to their

findings respecting political conduct, their Commission debarred them from taking into consideration matters which ought to be considered by politicians and statesmen—namely, whether the acts charged were palliated or justified by the circumstances of Ireland, or condoned by the results which those acts brought about. This is an assembly of politicians, and yet it is asked to accept the findings of the Commissioners arrived at on a number of points without regard to those considerations which politicians ought to bear in mind in arriving at a conclusion on matters of this kind. The House is asked to accept the conclusions of the Judges dissevered from the evidence, for the evidence from the Parliamentary point of view has been destroyed—the evidence is not to remain within the reach of reference as a Parliamentary Paper. I complain that whilst this Report from beginning to end, this Report which is to be recorded for all time upon our Journals, gives no glimpse or hint of the foul conspiracy of which we were so long the victims, no hint even of the conduct of the valuable Mr. Houston, thanked for his services by the Loyal and Patriotic Party, and who, in contempt of the Commission, destroyed what we may assume to have been evidences of criminal conspiracy, else why should it have been destroyed? whilst I say the Report gives no hint of this conspiracy; whilst the findings in our favour are meagre to the point of curtness, the findings against us are supported by strings of extracts from o'd articles, old speeches, and speeches from the most obscure and least responsible persons who ever thrust themselves on public platforms in Ireland; speeches and articles that look as if they were designed for election leaders for the Party on the other side—whilst this is the general spirit of the Report, the Report from beginning to end affords no hint of the evidence from District Inspector Irwin and other official witnesses that, upon hundreds of occasions, they heard denunciations of outrage from the League leaders. I say of this movement that from first to last lay and clerical leaders combined on every platform in denunciation of crime. The Report gives in its findings a distorted and perverted view of the relative weight of evidence on either side, and is an act of gross injustice to Irish Members. If this record be made upon the Journals it will be the duty of Irish Members here, and, if we fail, of those who come after us, to persist until the Resolution is rescinded, until this record is expunged. Two objections have been made during the debate to the Amendment of the right hon. Gentleman the Member for Mid Lothian, but neither of them are objections in substance. It has been objected that the right hon. Gentleman omits to offer thanks to the Judges, but the House has heard the argument of the right hon. Gentleman, the House has heard his view, that men, however eminent, are not to be thanked for merely doing their duty; but if the House, after hearing that argument, is still of opinion that the Judges ought to be thanked, it is open to the Government to insert in the Amendment of the right hon. Gentleman either the words proposed by the hon. Member for Banbury, or other words which it may think in its judgment better for the purpose. The second objection to the right hon. Gentleman's Amendment is that he has omitted to refer to the findings adverse to the respondents. I submit that such was not in any sense the duty of the right hon. Gentleman. The Government, in regard to the findings adverse to the respondents, are bound to consider the suggestions of the Judges, and in the exercise of their functions as politicians and statesmen, they are the persons responsible to this House and to the country for the consideration of whether these findings in respect to certain acts are palliated by the circumstances of the time in Ireland, or condoned by the results that have accrued. If they find that such acts are not palliated or condoned they are bound to take action upon them. I challenge them to take action. On the question of the condonence of particular action in Ireland, I say the Government know a good deal more about that than does the right hon. Gentleman the Member for Mid Lothian, and, if I may venture to say so, I think the right hon. Gentleman acted with much discretion in leaving this matter in their hands. I have shown that neither of the two objections to the right hon. Gentleman's Amendment has in it the slightest substance, but let me add that

if the Government think it necessary, after adopting the Amendment of the right hon. Gentleman, to proceed to refer to the findings adverse to the respondents it is open to them to do so. They may accept the Amendment of the right hon. Gentleman, they may reprobate the forgeries, they may express satisfaction that our characters have been vindicated, they may express regret that the period of agony and suspense was so cruelly prolonged, and having done these things, as the right hon. Gentleman requests them, appeals to them to do, it will then be open to them to declare in respect to particular findings that these particular acts were palliated or condoned, or else that they deserve to be punished according to law. Now, I proceed to offer some reasons why the Amendment should be accepted. In the first place this Amendment asks the House to declare no more than Ministers have declared in their speeches. The right hon. Gentleman asks the House to declare nothing that has not already been declared by the First Lord of the Treasury in his place here, by the Chief Secretary for Ireland, and by other Ministers of the Crown, and if the Government, having in those speeches declared in substance that which is contained in the Amendment, decline to accept this Amendment, and place it upon record, then the inference must be that they are willing to use language in their speeches which may be forgotten and pass away, but they are unwilling in a frank and manly way to do us justice by a Resolution that will remain on record. The second reason I have in favour of the acceptance of the Amendment is that the Tory Party have profited by the conspiracy of which we have been the victims, and they are bound to make us moral restitution. For the past three years *Parnellism and Crime* has been the principal stock-in trade of the Tory Party, and the forged letters have been the chief credentials of their candidates from end to end of the country. A Member of the Party opposite was the Parliamentary pioneer of the forged letters. I refer to the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson). He has spoken in this debate, and I have little to say about his speech. I will say of it that it argues great audacity in the hon. and gallant Gentleman to denounce incitements to violence, when, as the House is well aware, he and his friends a few years ago incited to violence in the City of Belfast, and incited with such dire effect that more lives were lost by that violence in three months in Belfast—or, I will not say more, but as many, or nearly as many lives were lost in Belfast in three months as, from deeds of violence, were lost from one end of Ireland to the other from the first year of the Land League to the last. It argues great audacity on the the part of the hon. and gallant Gentleman to appear as censor of treasonable speeches, when we know that he has boasted that he has assurances that British officers will follow him in Ireland in a rebellion against the Crown, when the Crown and this Legislature shall concur in an Act to confer Home Rule on Ireland. He, spoiling a fine old couplet, tells us that treason when successful becomes patriotism. I do not think, if he should give his own treason action, he will find himself other than a victim, for he will find against him both the power of England and the will of the people—odds too great even for a military hero who has such a record in the Crimea. But I recall the House to the memory of April 15, 1887. I think probably you, Sir, bear it in mind. The hon. Member for North Armagh spoke in the debate upon the Second Reading of the Crimes Act of that year. His speech was delivered late at night. Mr. Buckle, his confederate, the editor of the *Times*, was seated under the Gallery in this House. The hon. and gallant Gentleman in a carefully elaborated speech accused my hon. Friends and myself in precise terms of having associated with men whom we knew to be murderers. I expressed my feelings on that occasion without reserve and in un-Parliamentary language. You, Sir, from the Chair declared that I had suffered grievous provocation, and I have never since ceased to be grateful for that declaration you were pleased to make, and I shall always be grateful, and I am sorry that the spirit that prompted that declaration has not always prevailed in public life. But, Sir, I am sure you will feel that the provocation you then declared has now become intolerable. May I point out that the hon. and gallant Member for

North Armagh, who made that foul and deadly charge now proved to be false, has not since in debate offered one word of apology to me or my hon. Friends. For myself I can dispense with his apology. I care as little for his apology as I do for himself. So far as I am concerned, I say the question whether he can afford to omit to make such an apology is a question for his own consideration. Sir, that speech was a rehearsed effect. It was intended to publish the forged letter a few hours later on the morning of the Division on the Second Reading of the Crimes Act, but a pretext was required. Mr. Buckle having listened to the speech and heard our denial, quoted them in the *Times* of the following morning, and went on to say that the unblushing denials of my hon. Friend the Member for Longford (Mr. Healy) and myself that we associated with men we knew to be murderers rendered it necessary to publish the *fac simile* letter to prove the falsehood of our denials. The effect was carefully prepared, the speech was to pave the way, the hon. and gallant Member for North Armagh was the Parliamentary pioneer of the forged letter. From that day to this the forged letter has been the principal article of proof of the Tory Party in appealing to electors in this country, and I say they are bound to accept the Amendment as an act of moral restitution. I pass on to say that justice has been denied to us by the Tory Party, and for this reason they ought to accept the Amendment. When my hon. Friend the Member for Cork first asked that his character should be vindicated he was jeered at by the Party opposite and told to go to law. Sir, if he had brought an action at that time what would have happened to him? I speak in the hearing of the Attorney General. An action was brought by Mr. O'Donnell, and the Attorney General was counsel for the *Times*. What did the Attorney General say? The *Times*, he said, though it cost them the verdict, would not declare the name of the man, be he a confederate of Mr. Parnell or be he not, from whom they had that letter. That remark to the jury, "be he a confederate of Mr. Parnell or be he not," was exquisitely cunning, but it was also an extremely shameful remark. It was exquisitely cunning because it suggested a reason, and the principal reason, for withholding the name, but it was extremely shameful because it suggested to the jury without offering any evidence or reason why they might hold the letter to be genuine. At any rate you would not give the name, and what would have happened? I ask any rational man, if my hon. Friend had brought an action, and Pigott had not been examined, would not my hon. Friend, on going into the box, have had put into his hands not only the *fac simile* letter, but all the other forged letters, which he had never seen or heard of; he would have had forged letters and genuine mixed together, and would have been placed in a position of difficulty from which he could not have extricated himself, and the Attorney General would have brought up his battalion of paid expert evidence to swear that the letters were genuine, and he would have appealed to the jury by references to speeches and action of my hon. Friend on the favourite doctrine of inherent probability that we are engaged in the commission of crime. My hon. Friend would not have obtained a verdict, probably the verdict would have gone against him, the work of moral assassination would have been perfected and the cause of Ireland ruined. My hon. Friend was never wiser than when he refused to take action at law. I advised him not to take it. I did not see the full peril at that time, but I think it will be admitted now that if my hon. Friend had replied to your taunts by taking action at law in 1887, he would certainly have accomplished his own ruin. We asked for a Committee of the House, a Committee of English Members, we did not ask that one Irish Member should sit upon it, we asked for a Committee of English gentlemen of both parties to determine if we were guilty of crime. The Government were more tender for us than we were for ourselves, and they declared that the political bias of such a Committee would prevent it doing us justice. Then, having thought that a Committe of both Parties would be incompetent to consider this charge of crime they appointed three Judges, adherents of the Unionist Party, to consider not only the charges of crime, but charges as to our political conduct. Now, these Judges have reported the Govern-

ment ask the majority of one political Party to ratify the findings of the Judges on our political action as a Party to which the Unionist Party is opposed. I say in this manner justice is denied, and I add justice has been delayed. Justice required that when the Commission sat the man Richard Pigott should have been put immediately into the box. Why did the Attorney General delay this for so many months? Why did the Attorney General, when he had at his elbow the man who produced the letters, try first to prove the genuineness of the forged letters by evidence of convicts taken from English jails? The men who employed Pigott and drove him to his ruin, who tempted him to commit forgery and then forced him into perjury, were well aware that Pigott was a forger and a liar, before they put him into the box. They knew it as men of the world. They knew it by his letters; they knew it by his confessions; they knew it by his craven, terror-stricken fear of cross-examination. I have here the last letter Pigott ever wrote. It is written to his housekeeper in Ireland, and dated from Anderton's Hotel, Fleet Street, Feb. 8, 1889, a fortnight or three weeks before his perjury, flight, and suicide. He says—

"Here is a P.O.O. for £3. There is no chance now that I shall be examined until next week, meantime I have to wait on here doing nothing and wretchedly unhappy,"

this was before his perjury,

"Wretchedly unhappy about one thing and another, however—"

Here is a short phrase weighted with terrible meaning—

"I must go through 'it all.'"

He had to go through it all. The men who tempted his poverty into his first crime forced him to consummate his crime, and, sensible as I am of the unparalleled enormity of Pigott's guilt, I say there is nothing to choose between the guilt of this poor wretch, driven by poverty, and the guilt of wealthy men, driven by political venom, who tempted his wretched abject poverty, and forced him to endeavour to make good by his oath the crime he had committed. Justice, I say, has been denied and delayed. Now, I proceed to say the due operation has been thwarted by the Tory Party by means of their Law Officer. The Bill for the appointment of the Special Commission was drawn—perhaps I need not go so far as to say for two purposes, but with two effects. It was drawn so as to prevent the Judges from exposing the conspiracy of which we were the victims. It was drawn as if those who drew it apprehended our acquittal on the charges of crime, because they drew the Bill so as to compel the Judges to proceed beyond the charges of crime, but which we alone for the country cared for to investigate charges of public conduct, charges that needed no inquiry, charges calling for no Commission, charges we were ready to admit at any time in the House, so far as the facts were concerned, though we might deny the inferences. The Bill was drawn so as to compel the Judges to wander for a year through a mass of mad folly in *Parnellism and Crime*, to obscure the issue to the popular mind, and prevent us from a clear and absolute acquittal. When the Bill was being drawn, the counsel for the *Times* found it very convenient for his clients and himself to be the Queen's Attorney General. He was responsible for the Bill. I do not say he was alone responsible for the Bill; I think he acted in this case as the instrument of the Cabinet, for I cannot think that an Attorney General who consults the Lord Chancellor three times on a common criminal case would fail to consult the Cabinet in the drawing up of an Act to impeach the representatives of the people. The Attorney General has denied that he drew the Act, he denies that he is responsible for the terms of it. He assents. I have some excellent information on this subject, and I submit this statement of a fact. When the Parliamentary draftsmen read in the report of the proceedings of the House of Commons Sir Richard Webster's statement that he had taken no part in the drawing up of the Bill they were perfectly amazed, inasmuch as they had submitted it to him more than once, and the draft was in existence with corrections and interlineations in Sir R. Webster's own handwriting. He also said on each occasion: "It is lost labour, for they (the Irish Members) will never accept it." So astonished——

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Mr. Speaker. I do not know whether the hon. Gentle-

man will give his authority, but as far as I know there is absolutely not a word of truth in the statement he has read.

MR. SEXTON: I will first complete the reading of the statement, and then say what I will do. So astonished were the draftsmen, and placed as they thought in an unfair position, that they first doubted what to do, and finally decided to make a private record of it, and of the circumstances under which they considered themselves bound to reticence. My information is quite clear that the drafts were submitted personally to him, and not by messenger. Sir, if the hon. and learned Gentleman, or the First Lord of the Treasury, will lay upon the Table the several drafts of the Bill and the memorandum made by the draftsmen, who in this way accounted for their reticence, I will give the name of my informant. I think the hon. and learned Gentleman must perceive that in a matter of this infinite gravity the case is not one to be closed by a mere denial, but is one to be tested by evidence. The hon. and learned Gentleman strains at a gnat. Surely he has swallowed the camel. Does the House forget that the hon. and learned Gentleman pledged himself in Court, before the Commissioners, and in this House, to prove for the *Times*, not merely the case but the whole case, including each and every other charge? By that pledge the Attorney General deceived this House and misled the country. Why, Sir, the findings against the respondents are only on charges in regard to public conduct, and when he promised to prove the charges made he must have referred to those of a personal character. How does he account for the fact that he promised to prove a number of deadly and infamous charges, in regard to not one of which he had a tittle of evidence? Sir, the learned Gentleman at this stage of the matter cannot hide himself behind a phrase. What does he mean by saying he acted "upon his instructions"? Did he read his brief? We understand that a brief is a thing containing a recital of the evidence. If he read his brief did it promise any proof of the charges as to which the Judges have found there is no evidence whatever—such a charge, for example, as that Mr. Parnell knew that Sheridan and Boyton had been organisers of outrage, was there any evidence to support this charge in the brief?—[Sir R. WEBSTER made an affirmative gesture]. Then, what was it—why did he not produce it? We know well that the hon. and learned Gentleman was only too determined to bring all the evidence he could obtain into Court. As to the hon. and learned Gentleman's great charge—of which he is if not the natural at least the adopted father—that the Invincibles were a branch of the Land League, and that the Land League paid them, the Judges say the charge is founded not so much on any passage in *Parnellism and Crime* as on passages in the speech of the hon. and learned Gent'eman in "O'Donnell *v.* Walter"—this charge, as vile and infamous and deadly as any ever made against man since the world began. How does he account for the fact that the Judges not only scouted those charges, but scouted them with such contempt, and I think I may say with such disgust, that they said they thought it not worth their while to quote the passages in the learned Gentleman's speech. The hon. and learned Gentleman pledged his reputation recklessly and often, and I will tell the hon. and learned Gentleman, if one in my humble place may take such a tone to one in his great position, that the reputation which he pledged he never will recover until he satisfies this House and the country why, not merely as counsel in the case but as Attorney General, he pledged himself to prove against a body of hon. Members serious and infamous charges in regard to which it is now abundantly clear he had not a word of evidence in his brief. But the hon. and learned Gentleman is impenitent. Does he accept the findings of the Judges? He insinuated guilt the other night in his speech in this debate. He suggested, upon the strength of an anonymous paragraph published some five years ago in an old newspaper, that the hon. Member for Cork sympathised with the use of dynamite and outrage. The vanity of the hon. and learned Gentleman cannot tolerate the loss of his verdict. It is very hard upon him that he has to vote for the Motion of the leader of the House, for if he had his way he would move such a Motion as this:—"That this House affirms the Report of the Judges so far as it convicts the Irish Members but convicts the Irish Members of the

charges of which they have been acquitted by the Judges." If the hon. and learned Gentleman will make such a Motion I have no doubt it will be supported by the hon. Member for North Antrim (Sir C. E. Lewis) and the hon. Member for the Loughborough Division (Mr. De Lisle). It has been said of this Report that what is in it is not true and that what is true in it is not new. The hon. and learned Gentleman, in the midst of his disasters, consoles himself by finding something in the Report which, he says, is both new and true, and that is the story of Le Caron concerning the Clan-na-Gael. True or false it is a fantastic story, and it excited in me the kind of feeling I have experienced in reading Rider Haggard's novels. True or false it does not concern the respondents. Why did the Government give up their most valuable spy? Why did they transfer him to the service of the *Times?* Was it not solely for the purpose of endeavouring to connect the Irish Party with the action of the Clan-na-Gael? That purpose has wretchedly failed, and I certainly cannot but condemn the attempt of the right hon. Member for Bury (Sir H. James) to compare the Irish Members of this House, who having first taken the oath to a secret combination for a patriotic purpose in Ireland, and, having their hopes cheered by a man who has seen a wiser policy, have subsequently taken the oath of allegiance to him—to compare such men with a man like Le Caron, who has spent the greater part of his life in taking oaths for the purpose of violating such oaths when taken. I cannot believe that any oath whatever is sacred to such a man; and we are told that the Judges preferred the oath of Le Caron to the oath of Mr. Parnell. I venture to say, by way of comment, that the Judges were very easily satisfied if they believed for instance, as they appear to have done, that Mr. Parnell told Le Caron that he was saving up £100,000 for the purpose of a war against the British Empire. That might do very well for a war against the Isle of Wight, the Attorney General's seat; but it is not by any means sufficient for a war against the larger island. When the question of credibility arises as to the action of Le Caron I am greatly astonished that the Judges thought it consistent with their duty to omit from their Report all reference whatever to Le Caron's evidence concerning himself. I suppose a man was never more astonished than I was, when one evening in Dublin, taking up an evening paper, I read that a sensation had been produced in the Court in London by the evidence of Le Caron, and a story told to him that Mr. Sexton, the Lord Mayor of Dublin, had aided the flight of Brennan from justice. The story was extremely circumstantial. It was that Brennan and I were walking in the Strand when our attention was attracted by a newspaper bill containing a reference to some evidence against Brennan that we at once darted down a side street and arranged a plan of flight for Brennan, in virtue of which Brennan went to his lodgings and packed his valise, whilst I went to Charing Cross Station, took a railway ticket for France, travelled with that ticket from Charing Cross to London Bridge, where I handed it over to Brennan, who had arrived there with his valise; and that Brennan then travelled with the ticket to France. Sir, I never in my life walked with Brennan, in the Strand or saw such a newspaper bill, and the whole paraphernalia and properties, including the valise and railway ticket, belong to the region of unadulterated fiction. I stated that before the Commissioners. The Attorney General did not recall Le Caron, and he did not put a question to me on the subject; therefore, I presume I do not go too far in inferring that the hon. and learned Gentleman accepted my disproval of the story. But Le Caron told that story, and it argues either that Le Caron was not the witness of truth, or else that his memory is so exceedingly infirm that it cannot be trusted. But I will pass away from this with one further brief glimpse of the character of this man. I will now tell the House a little more about Le Caron than the Judges knew. Some letters have been handed to me with the view of my communicating them to the House. One is a letter from Mr. T. V. Powderley, a gentleman holding an important office in the labour organisations of the United States, inclosing a letter to him from Le Caron. Writing on the 12th of February, 1889, Mr. Powderley said :—

"That you may know what manner of man Le Caron is, who is giving testimony in the London *Times v.* Parnell, I inclose a copy of

a document now in my possession which he favoured me with during the trouble on the South-Western Railroad in 1886. This letter is of a piece with all the work which he pretends to have had a hand in on this side of the Atlantic. It is the production of a man who is certainly not fit to be at large, and no credence would be given to whatever testimony he would give in an American Court."

I need not read any more of the letter sent by Mr. Powderley, who is a member either of Congress, or of the local Legislature. It inclosed a copy of a letter from Le Caron as follows :—

"The Hon. T. V. Powderley,

"St. Louis, Mo., April 3, 1886.

"Dear Sir,—At such a time as this a few words of advice and encouragement may be of service to you, and may possibly serve to solve the very difficult problem so suddenly thrust before you.

"A peaceful law-abiding strike will never conquer such a power as you now have to deal with. Moral suasion, so good in trivial cases, becomes of no use when applied to such a cold-hearted fiend as Jay Gould; entreaty, argument, and sympathy, appeal to him in vain, and though they plead with him in thunder tones the sound falls on leaden ears. You must touch his pocket, and meet force with force. You must not be expected to publicly countenance anything but peaceful measures. You will not even know that any other has been resorted to. All that you need do will be to give me the names of a few of your lieutenants along the Missouri-Pacific road, and I will attend to the rest. Name only those in whom you can place implicit confidence, and I will place in their hands the materials that will, if properly handled, destroy every bridge and culvert on the road. I have made a study of explosives, and can give you an unfailing remedy for the wrongs your members complain of.

"All that you need do will be to write the names I have asked for on the blank space on this sheet. Return it to me without name even—I will manage the rest. Whatever is to be done must be done quickly. I know you by reputation for years and can trust you. All I ask is your confidence and, in return I promise the most gratifying results.

"Faithfully yours,

"Henri Le Caron."

Sir, I condole with the Government. We have heard that 95 lives were taken by violence in Ireland during the agrarian movement. Here we have a man, who, if he could have found in the United States other scoundrels as black as himself, would have sacrificed thousands of lives. I condole with the Government in having transferred an official of his rare quality to the *Times*, and upon having obtained nothing in return except what might have been obtained from the pigeon-holes of the Home Office before the Attorney General set his hand to the matter at all. I pass to the findings in the Report adverse to the respondents. The first is what is called the charge of treason. The Attorney General said that that means that one object of the Land League was to establish the ultimate independence of Ireland. That was not the finding of the Judges. Their finding was that 11 years ago eight gentlemen entertained the intention of furthering the cause of the absolute independence of Ireland. They do not say how long that intention was held or whether it ever developed into action. Being Judges, and not politicians or statesmen, they did not know, as hon. Members of this House well know, that in 1885 the gentlemen so charged had their votes accepted by the Tory Party to put it in power. How is that, Sir, for condonation? Nor did it come under the purview of the Judges that the gentlemen charged accepted in 1886 the Home Rule policy of the right hon. Member for Mid Lothian (Mr. Gladstone) without qualification and without reserve, and have proved their acceptance of it in their public action ever since. With respect to the defence of prisoners, in every country the defence of the accused is a right. In Ireland it is a duty. Summary process in Ireland is intrusted to the hands of ignorant and servile magistrates, while the trials for agrarian cases in the Superior Courts are held before packed juries, every man of which is different in social position to the prisoner and hostile to him in politics. It is a duty in Ireland where charges are recklessly made by means of purchased evidence to defend the accused, and it has not been alleged that we have defended the guilty. We have defended those men whom we believed to be innocent. If the records of the Land League are examined it will be found that in the vast majority of cases where the League has defended the accused, the innocence of the parties has been established. The support of the families of the accused persons was a work of benevolence, and we were justified in undertaking it. When we are told that we did not aid in the administration of law and justice, I would ask in what country are public

leaders ever expected to aid in the administration of the law? In Ireland the administration of the law is not the administration of justice. The law itself, the spirit and foundation of the law, and the administration of the law are hostile to the people. Neither in Ireland nor anywhere else will you get the Representatives of the people to facilitate a system under which innocent men are convicted and the guilty allowed to go free, according to the convenience of the Administration. I come now to the charge of boycotting. Perhaps the author of *Parnellism and Crime* was of opinion, before he came over from Ireland, that boycotting was unknown in this country. He is not of that opinion now. That infamous libeller, Mr. Woulfe Flanagan, the son of an Irish Judge, presented himself the other day for admission to the Athenæum Club, but the number of black balls deposited against him was the largest ever known against any person seeking admission, although his patron, Mr. Buckle, pleaded piteously on his behalf that he had not written all the articles in the *Times*, but only three of them, and those not by any means the worst. The friends of the Party opposite are in the habit of boycotting in England. Not an election passes but we get letters from poor men, complaining bitterly of the boycotting to which they have been subjected at the hands of the Tory Party, and begging us not to reveal their names. Now, the question I have to put is this: If a powerful and wealthy Party like the Conservative Party, with all the forces of law on its side, may resort to boycotting out of pure wantonness of spirit, should the Irish people be condemned for resorting to it in their dire extremity and need for the purpose of saving the fruits of their labour and saving their homes? Sir, if the Irish people had the right, as the people have in every other part of the Empire, to make laws for the regulation of their own affairs, organised boycotting would not be justifiable, and they would not resort to it. But, Sir, the spirit of the law and the administration of the law are hostile to the Irish people. The laws in Ireland are made against the interests of the Irish people and against their will; and I maintain that, so long as the law remains in that condition, the people of Ireland have a moral right of which nothing can deprive them—and the exercise, of which no legislation can prevent—to organise public opinion for the purpose of mitigating the hardships and moderating the evils under which they suffer. Whilst I describe boycotting as a necessary evil, because the organisation of ill-will is not to be desired; still when there is profound and grievous cause for it, it is better that ill-will should be organised, and, if possible, directed and restrained, than that we should have what happened in Ireland in former days, namely, that poor, untaught men, driven to a desperation by a sense of hopeless wrong, should be left to their wild counsels. On the question of boycotting, the Judges, if I may respectfully say so, have fallen into some confusion of thought. They find in one place that we recommended boycotting, and in another that we condemned it. They also find what, in all this "Much ado about nothing," we have never denied, and which could have been embodied in a Resolution long ago. The Judges find that boycoting led to crime, and that we persevered in it with a knowledge of this fact. We admit the fact that we persevered in boycotting, but we deny the inference. I say that boycotting has led to crime, but I also say that boycotting unquestionably throughout the whole course of its operation, while no doubt it was pushed to excess in some cases and beyond the design of its public leaders, formed a barrier between oppression and crime. The Judges find that in a minute proportion of cases boycotting was followed by crime. Did the Judges remember that boycotting was preceded by the wrongful act which ruined the individual, by an act of wrong to the public interest and of offence to the public conscience? The Chief Secretary has given us many Returns of boycotting in which there was outrage, but will he give us a Return of the many thousands of cases of boycotting in which there was never any outrage? You may call this restraint of freedom of action, but when the law is unjust to the people the people are bound and entitled to restrain such action as is adverse to the public interest. In previous agitations, and during the famine, there were hundreds of murders and thousands of

outrages—ten times more in a single county than we have had during the whole duration of the League, a period of 10 years. But for the Land League you would have had in Ireland for the last 10 years unquestionably a social war, and you would have had such an epidemic of violence as has never been known even in the sad and bloody course of its history. These Judges, who are not statesmen and are not politicians, have ventured far beyond this question of crime, and they have embarked upon the stormy and, possibly, unfamiliar sea of Irish politics. They have said that the movement of the Land League was a principal cause of crime. Will the House allow me to lay before it in a few words the causes which stimulated crime? The distress which was experienced in 1879 began to re-appear in the accumulation of arrears, in evictions, and in notices to quit. The Compensation for Disturbance Bill was rejected by the House of Lords, and the Judges, who say they are not politicians, conclude that disorder was excited in Ireland, not by the rejection of that measure by the Lords, but by the denunciation of that rejection by the Representatives of the people, including, I suppose, Mr. Forster. Every peasant in Ireland, without any instruction from us, knew perfectly well what had been done by the House of Lords. Has it come to this, that when a branch of the Legislature acts grievously against the public interest, and when disorder arises, that disorder is to be attributed not to the action of the Legislature, but to the action of the Representatives of the people, who did their duty in exposing such misconduct? The final cause of crime in Ireland was the exasperation caused by Mr. Forster's Habeas Corpus Suspension Act. Mr. Forster represented that that Act was to be directed against the village ruffians, but he imprisoned without trial and without charge hundreds of as respectable men as any in the country. Unprecedented distress, unprecedented poverty, unprecedented pressure of the landlords for impossible rents, the rejection of the Compensation for Disturbance Bill by the Lords, and the suspension of the Habeas Corpus Acts—these were the causes, and not the Land League, of crime in Ireland. But what flowed from the movement of the Land League? By charity, it saved 10,000 families, the money, a good deal of it, coming from Patrick Ford. It distributed half a million of money, while the Poor Law was relaxed by the Government, and relief works were instituted. Another influence against crime was the abatement of rents secured all over Ireland by the Land League—secured by that united action which is now so much condemned, —abatements which have not been secured by any other means. The third influence against crime was this—boycotting substituted for the wild counsels of revenge, which was the practice in former days; a system which, call it illegal if you like, call it unmerciful if you like, was, at any rate, peaceful, and was intended and designed by the public leaders to be a vast and infinite improvement on the resorts to violence which were so frequent before. The fourth influence against crime has been the legislation of the last 10 years. The Attorney General may be a very eminent lawyer, but he is not in the least—not in the very least—a politician, and it was absolutely puerile for him to argue, as he did the other night, that, because the Statutes were found not to be perfect when passed, therefore our movement ought not to be carried on. The Member for West Birmingham said long ago, and the Member for Mid Lothian has lately said, that the Land Act of 1881 was due to the movement of the Land League. The Arrears Act was due to the action of my hon. Friend the Member for Cork. But will it be believed that the Judges, who are only Judges and not politicians, come to the fantastical and irrational conclusion that the Land Act of 1881 and the Arrears Act of 1882 had nothing to do with diminishing crime in Ireland? I say deliberately, as an Irishman, at that time opposed to the right hon. Gentleman the Member for Mid Lothian, that no more healing influence was ever applied to the sorrows and sores of Ireland than the Land Act of 1881 and the Arrears Act of 1882. Under the Arrears Act of 1882 a million of public money was paid away and an almost intolerable load of rent was lifted off the backs of the Irish tenants. That Act kept the fire on the hearth and a roof over the heads of tens of thousands of suffering Irishmen. That Act, therefore, may be said to have had great in-

fluence with the Irish people, and it was obtained entirely through the efforts of the Land League Organisation ; but, Sir, not only did the Land League obtain that Act, but it also obtained the Purchase Act of 1885 and the Act of 1887, by which the tenants were allowed to have fair rents fixed. The Land League was, in point of fact, the parent of all the large improvements in the state of Irish affairs that have taken place within the last 10 years. With regard to the finding that we have desired to impoverish land and to expel the landlords, I would remark that the Judges are not politicians. If they had been, they would have known what, at any rate, was well-known to the Government and to the House. In 1879 the Land League offered to the landlords the purchase of their estates at 20 years of Griffith's valuation. Do not hon. Gentlemen opposite, does not the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson) most devoutly wish that the landlords had such an offer now. Not even the hon. and gallant Gentleman's volcanic eloquence will ever win such an offer again. The proposal made by the right hon. Gentleman the Member for Mid Lothian was to purchase the interests of the landlords on the basis of 20 years' net rental, and the Irish Members in 1886 gave a general assent to that unprecedentedly generous proposal. The Tories would not allow the right hon. Gentleman to pass that Bill then, although they desire to pass a similar measure now, and the question remains, will the right hon. Gentleman allow them to do so? Our policy was the policy of purchase, that policy has been adopted by both Parties, and I say it is too late to allege now that the Land League desired to impoverish the landlords ; neither is it correct to say that we desire to expel the landlords. What we desire to do is to prevent the expulsion of the people. Why, I ask, should we desire to impoverish any class of men in Ireland? Our desire has simply been to save for the people the fruits of their labour and the integrity of their homes. The only reason why the landlords are hostile to the Home Rule movement is because they have looked to Parliament to maintain them in their unjust position. When they cease to be landlords they will become an important section of Irish society ; and, if one is to judge from what is said by the hon. and gallant Gentleman the Member for North Armagh, they will no doubt be a refreshing element in the Irish Legislature. I now come to the question of condonation, and I ask this House have the Government condoned our action? Was there a compact in 1885 between the Irish Members and the Tory Party? A compact! It is not much use now to talk of compacts. Did we not camp under the same banner? A letter has been read from the hon. Member for the City of Cork (Mr. Parnell), who stated that there was no compact between Lord Salisbury and the noble Lord the Member for Paddington (Lord R. Churchill) on the one hand, and the hon. Member for Cork and the Irish Members on the other, in regard to the expulsion of the Liberal Government from office, and referring to three heads of an agreement, namely, the abandoning of the Crimes Act, the passing of the Labourers' Act, and the enactment of a Land Purchase measure. Still, it is very curious that all these three things came about ; the Crimes Act was abandoned, the Labourers' Act was passed, and the Land Purchase measure was brought in. Things of this sort are not done in a formal manner. Compacts of this kind are not engrossed on parchment nor adorned with sealing wax. We had what we considered a sufficient assurance that if we put the Tory Government into power it would not renew the Crimes Act, and, Sir, when it came into power, that Government did not renew the Crimes Act. Why, then, do they talk to this House about compacts? If the House will only look for the Division Lists, and read the debates of that period, it will be seen that there was at that time a homogeneous opposition. Why should we have put the Tory Party into power? Of course, we naturally feel for the Tory Party that love which every man is bound to feel for his neighbour ; but that is hardly sufficient to induce us to make our neighbour a Prime Minister, especially when we are Irish Members and our neighbour is a Tory. We must have had an additional reason, and that additional reason we certainly did have. In that same year Lord Salisbury rather spoke up for boycotting, and conveyed

the idea that it was not illegal and could not be dealt with by means of the law. Is it not apparent that if the fortunes of the Election of 1885 had been a little different, Lord Carnarvon would probably have been now in the Vice-Regal Lodge, while the hon. Gentleman the Member for the City of Cork might have been in Dublin Castle? It has been suggested that we do not act together. May I remind the House than when the *Globe* newspaper, during the Election of 1885, had a paragraph stating that the Tory Party did not want to be helped by the Irish, Captain Middleton, the Tory agent in London, was greatly incensed at this assertion, and caused the Central News to send round a formal contradiction throughout the country? There are several ways of denying a thing; one way is by not asserting it, another is when a person who does not know makes a statement, and the person who does know remains silent. At any rate, the denials up to this time have not come from a competent, well-informed quarter, and I venture to say that from that quarter the denials will never come. Now, Sir, boycotting prevailed in 1885, and the Crimes Act was then expiring. The right hon. Gentleman the Member for Mid Lothian, then at the head of the Liberal Government, intended to renew certain provisions of the Crimes Act, including the clause relating to intimidation. Why did the Tory Party allow that law to expire? Boycotting was as much a crime in 1885 as it now. The Tory Party were as well aware of it then as now. There was on the Statute Book an Act directed against it, and the Tory Party, by their compact, deliberately allowed that Act to expire, and why? Because they were willing to accept the rule of this Empire from the hands of men whom they now call traitors and conspirators. Why, Sir, the Tory Party in 1885 paid some of our expenses. The Tory candidates and the Irish organisers were as thick as thieves. We shared your political homes and you shared ours, and, at the same time, you paid our printing bills. When you talk of money received from Patrick Ford in 1885, I tell you that the money of the Tories and of Patrick Ford went into the same purse, the only difference being that Patrick Ford was what they call in Ireland a decenter man than the average Tory, because Ford asked for no return from the Irish Members, while the Tories wanted to get value for their money. Again, I ask, how stands this question of condonation? Well, Sir, the Party that acted in this way in 1885 had a perfect knowledge of all the facts affecting the situation, and yet they persist in the proposal to record with all solemnity in the Journals of this House a finding in regard to which they will be laughed to scorn. We are told that we disseminated newspapers such as the *Irish World*, inciting to the commission of crime. I say that not a single Member of this House was ever responsible, and it cannot now be alleged that he was responsible, for sending out a single copy of that newspaper. The *Irish World* was distributed by means of its own funds, and it was circulated by its own correspondents in Ireland. Not a single copy has been distributed in Ireland by any Member of this House. Indeed, I am not aware that it has even been suggested that the Irish Members did distribute the paper, and, therefore, it is unjust to allege that circulation as a charge against us. As to *United Ireland* and the *Irishman*, there may be two or three gentlemen among the Irish Members who are concerned with those papers as editors or shareholders; but it must in fairness be borne in mind that the objectionable writings to which exception has been taken were appearing at the very time when the Tory Party concluded a compact with Irish Members, and I hold, therefore, that by their own action, that Party is now debarred from a penal finding against the Irish Members in regard to those articles. I would conclude my argument on this part of the case by pointing out that in the Crimes Act of 1885 there was a clause expressly directed against the circulation of such objectionable articles and newspapers, and yet, with full knowledge of the publications, the Tory Party deliberately allowed the Act to expire. It is next stated against us that we have accepted subscriptions from America. Well, the operation of your English Laws has driven the Irish people out of Ireland. Whilst we have only five millions of people at home, there are 25 millions of Irish people scattered throughout the world; and are five-sixths of the Irish

race to be debarred from assisting by subscriptions of money the cause of liberty in their native land? Such a contention is monstrous—it is applying to the Irish Party a rule which has never yet been applied to any political party. Have the hon. Member for North Armagh and his friends made a category of people who shall or shall not subscribe to the Loyal and Patriotic Union? I have never heard that the hon. and gallant Member has made it a rule that one class of persons shall not subscribe. Rather, I think, his grievance is that *no* class of persons will subscribe. Perhaps he would like to have some of the money of the Clan-na-gael, and I say deliberately that the Clan-na-gael might do worse than send money to the hon. and gallant Gentleman, for in a way he does not know himself he is a real friend to Ireland. How is it possible for the leaders of the Irish movement to discriminate in such circumstances between those who are members of a Secret Society and those who are not? I do not believe that the English people will condemn the Irish Party because they receive the money referred to, especially when they remember that this money is subscribed with the hope that it will bring about the success of the Constitutional movement, though, it may be, some of the subscribers have greater faith in an appeal to force. Against one of the findings of the Judges I protest emphatically—that in which they find that the respondents made payments to persons injured in the commission of crime. I also protest against the manner in which several other findings—such, for instance, as that of circulating objectionable newspapers and receiving subscriptions from America—have been made general against the whole 65 Irish Members, by the operation of the law of conspiracy. Some of those men were never members of the Land League and never received a penny of the money; nay, further, some of them did not enter political life until years after the acts alleged; and is it common fairness, I would ask, to charge men who did not enter the movement till 1885 or 1886 with responsibility for acts done in 1880–1? As to the payment of money to persons injured in the commission of crime, that charge against the 65 Members rests on one solitary case. There was a second case, but it was found on inquiry that this one consisted of some assistance granted to the distressed families of two or three men who were imprisoned on a charge of which they were found to be innocent and were acquitted. That case, therefore, falls through; and the one solitary case on which the finding is based is the payment made upon Timothy Horan's letter. And what are the circumstances of that grant? On the 1st of October, 1881, at a time of hurry and confusion, on the day before the hon. Member for the City of Cork was arrested, and when the suppression of the League was momentarily expected, the grant was made. The letter appears to refer to the case of some men who had been shot and who required medical attendance, but there is a clause in it that the grant should be sent to the writer or to the local clergy. Now, I had been in the office of the League from the beginning of May to the end of September, when my health utterly broke down through overwork and anxiety, and I confess that if the letter had come to my notice I should have sent to the local clergy. If it had been made to appear that the application had any relation to crime it would never have been granted. It should be remembered, too, that the time was at the height of what was known in Ireland as the buckshot *régime*, when men were being continually bayonetted or shot at evictions, and the men who were shot on these occasions were unwilling to reveal their identity because, although they might have done no actual crime, they knew they were liable to prosecution by the police. I repeat that had I been able to attend the office at the time, the grant would never have been made unless it had been made clear that it had no relation to crime. That was the principle on which the League was carried on; the fact that only one solitary case can be found proves it, and I contend that it is unjust to base a charge against the whole of the 65 Irish Members—many of whom had no knowledge of the matter—on this letter. The finding would never have been passed but for this solitary charge. The Judges complain that Mr. Parnell refused to allow the agents of the *Times* to inspect his accounts at Paris. Had he been foolish enough to do so he would have told the Tory Party at

once how much money he had to fight the next General Election with. That is a little too much to expect. The Judges also complain of the paucity of books and records produced. The respondents brought before the Judges all the books in their procurement. The House has heard the hon. Member for Fermanagh challenged and his reply doubted about the transfer of certain books from Ireland. We have been told about a big box of books taken from Ireland and brought to England, and that the box and the books were never seen again. Will it be believed that this box with the books was in the Court all the time? There were 64 books, two for each county in Ireland. They were brought to England in the hope that the organisation might be carried on here, and such little interest had any one in destroying the records that the whole of them were produced in Court, and left there in the same box in which they were brought from Ireland. The witness Phillips, upon whom the Judges depended a great deal in this matter, was an Englishman, and had served in the British Army. He was a man who had no sympathy with the League and was engaged simply as a clerk. The officials of the League knew that he was an Englishman and that he had been in the Army, and yet he was allowed to take away the books and documents to his house and keep them there. The Attorney General did not call attention to that fact, nor to the fact that when cross-examined Phillips said that no one from first to last had even suggested to him to destroy a document, and that in all the documents he did not see one illegal entry or illegal payment. Be it observed that Phillips was something more than a clerk; he was in charge of the books and was bound to know what was in them. The entries were made by Phillips, and were not the act of any of us connected with the League. Why did the Judges, in basing this serious finding on a single case, omit to advert to the fact that the agents of the *Times* had every political letter written by Mr. Parnell and the reply over a course of 10 years? Is there a politician on the Treasury Bench who could produce before a Special Commission every letter he has written upon politics and every reply he has received in 10 years, and then come out of the ordeal as safely as the hon. Member for Cork has done? Why have the Judges omitted to remark the fact that all the National League books were produced? The National League covered seven years out of the nine, and every letter received, every cheque-block, every book, every scrap of paper from beginning to end has been produced, and after these records have been examined as with a microscope they could not be made a matter of comment. There remains the English Land League. The right hon. Member for Bury has made a suggestion. in his speech which, for my own part, I will not characterise at all, because I feel that I could not do so within the bounds of Parliamentary language. The right hon. Gentleman has said that if a book had been produced—which is missing by no fault of the respondents—it might have shown that Frank Byrne had made payments of money to Invincibles. Does the Member for Bury accept the Report of the Judges? Does he still mean to insinuate guilt? Does he mean that Frank Byrne did make payments of League money to Invincibles and made an entry of this and every case, and that these entries came to the knowledge of the respondents? The right hon. Gentleman has made that suggestion on the faith of a witness whom he has not named, and why? That witness is a man who has been three times convicted—in his youth for highway robbery, then for participation in the attempt to assassinate Judge Lawson, then for complicity in the Phœnix Park murders. That is the witness on whom the Member for Bury relies. I have only to add that the evidence of that infamous witness has been rejected by the Judges. I have now gone over the adverse findings, and have stated what I consider has been the justification for what has been done. If the Government say with reference to the charges which have been proved against the Irish Members that they have not been justified by the circumstances of Ireland and condoned by the action of the Government itself, then I say that we have culpably broken the law, and it is the duty of the Government to vindicate it. I challenge them to vindicate it. They are the guardians of the honour of the House. If the Irish Members have violated, I will not merely say law, but

even honour, let the Government prosecute us. Why does not the Government prosecute us? Is it because they know that no jury in Great Britain or Ireland would give its finding upon these matters of political conduct without having regard to the necessities of the case which have driven us into these acts, to the condonation given to them by the Government itself, and to the valuable legislative results which have accrued from our action? The Government are afraid, because they fancy that the country might raise the cry that Her Majesty's Ministers should also go into the dock as accessories in the first degree. But if the Government do not wish to prosecute us, why do they not expel us? The Government say that the Irish Party intimidates Ireland; they speak of us as lawless men who have banded ourselves together to put an end to freedom of action in that unfortunate country. But Ireland has now free voting; let the Government send us back to our constituents, and let them see whether the men whose lives are terrorized under our evil system will again return us to this House. The comicality of the whole situation has developed into this—there are 65 of the respondents, and not even against five of these have the Government dared to offer a candidate. If you expel us we shall either come back on re-election, or if we do not, and some of us may not care about it, we shall send back men as good as ourselves, though perhaps less agreeable to you, and we veterans can usefully occupy ourselves in preparing the people of Great Britain, showing the way in which they should give you a warm reception when you dissolve. With regard to the findings which are in favour of the respondents, I have a few words to say. These findings relate to charges of treason and murder. I think that the House hardly realises the truth about these charges. I myself have found it hard to realise that such charges could be brought by civilised men and by what has been once a great journal; a journal which has once before defamed Irish Representatives, and was then found to have made calumnious charges against them—charges which I think it will not live to make a third time, or, at all events, if it does no one will be foolish enough to believe them What are the charges with relation to murder? They are that the Irish Members were in concert with murderers, that they instigated murder, met murderers in secret conclave, suggested murders, and knew what murders these men were going to commit, and that they paid them to commit murders, being, as the Attorney General has put it, too busy to do it themselves. Was ever a series of viler or more damnable crimes imputed to the most infamous criminals without a particle of evidence? A mean and shabby attempt has been made to show that a finding being disproved merely means that it is not proved. But what does "disprove" mean? It means that at least *primâ facie* evidence of the charge had been brought; how were we to disprove that with regard to which there was no *primâ facie* case? But of these terrible charges, such, for instance, as that Mr. Parnell knew that Boyton and Sheridan had organised crime, the Judges found that there was no evidence. The omission on the part of the Judges to discuss the evidence is a proof that no evidence had been given on these charges, because in the other charges where they find evidence they discuss it. Now I come to the last and strongest argument why the Amendment of the right hon. Gentleman the Member for Mid Lothian should be accepted. I have shown that the Tory Party are now bound to make restitution; that they have played with loaded dice. I have said that there is grave cause to suspect the Government of being concerned in a plot by means of subornation to perjury to make false charges appear true. We have a *primâ facie* case. We know that a sub-inspector of police in Ireland threatened to prosecute a boy for an offence unless he would consent to serve the *Times*. From their Secretary in Whitehall down to the police constable in a remote station in Ireland the Government have strained every nerve to establish false charges in this case against us. What more could they have done had this been a grave State prosecution, involving such a charge as the dethronement of the Sovereign? Now, I am about to bring before the House some further points of evidence. There has been a man in London named Maurice Collins,

who, according to the statement in *Parnellism and Crime* — though no evidence has ever been given with regard to him—has been stated to have been made the sheaths of the knives used in the Phœnix Park murders. This man has written to say that on March 5, 1887, two inspectors of police called on him, after going to various people to find out where he was; that they had gone to a Father Connor to find him, saying that they had some money to pay to Collins. After some conversation turning on the Land League, the inspectors told Collins that they wanted him to find out about a man named Kearney, and they would pay him well; that his own party had done nothing for him, but that now was the time to make money if he would do what they wanted. On March 7 they gave Collins £1 and told him to make an appointment with them. They met again on the 12th, when the *Times* was mentioned, and he was asked to give information about the League; again, on the 18th, when Collins was asked by them what the relations were of Byrne to Quinn, and so on, until June 16, when finally the police pronounced him a rogue and a swindler, whose intention was to deceive Scotland Yard. I pass now to Ireland. I have here a letter from R. Mullen, an officer of the Irish police who has now been promoted to the post of inspector. It is addressed to Mr. Patrick Lavin, Cleveland, Ohio. The writer says—

"If you will let me have any letters you have from Mr. Parnell, or anything else you may have of the past, I guarantee your name will never be mentioned, and I further guarantee I will be the means of putting you on your feet, no person knowing anything of it but you and I."

So much for the conduct of the Government towards people out of prison; I now come to their conduct towards prisoners. Here is a letter from the convict Patrick Nally, convicted in connection with what is known as the Mayo conspiracy case. I may say that in his part of the country a strong conviction of his innocence prevails. A visit to Nally in prison was made by Mr. Thompson, the agent of the *Times*. Nally says that when Thompson called he was not told who it was wanted to see him but was bidden by the prison warder to follow him to the room where Thompson was. Thompson produced a letter from a relative of the prisoner's, and said that Davitt spoke very ill of the prisoner. Nally said he did not believe a word of it. Thompson's next move was against Mr. Parnell, and finally he came to his degrading offer. He said—

"I am in a position to offer you liberty and you shall be well rewarded if you consent to serve the *Times*."

The *Times* might make an offer of fortune on its own behalf. It could not make an offer of liberty except by collusion with the Government. Do they admit that collusion? If they do, I say that they, and not we, are the traitors, because they have prostituted the noblest prerogative of the Crown, the prerogative of mercy, for the purpose of producing strife between the Parties in this House and strife between the races of this Empire. If they deny it, then I affirm it still, for I am ready to prove it. I call for an inquiry. We shall continue, until we obtain it, to insist upon an inquisition to prove this villainous conspiracy to the core. The writer of the letter goes on to say he felt like a savage ready to strangle or brain his interviewer, who finally said—

"Let us understand; will the promise of reward or the fear of punishment get you to speak? To which I answered, "No, no, no." Mullett wrote a letter to the Home Secretary, whilst in Millbank, referring to our treatment and to Thompson."

It would be well if that letter were produced. Obviously the object of these proceedings was to get evidence in relation to the worst of the false charges. James Mullett, who was one of the men convicted of the Phœnix Park murder, has written a letter in which he says:—

"I suppose you heard about Thompson who called on me. I told him to give their thousands and liberty to some scoundrel who would perjure himself. I challenged him to bring me to the Court, and I told him that I would exonerate the gentlemen they had the charges against."

I have also here a letter from this man's wife, and I think it will touch the heart of every man who hears it. Mrs. Mullett says a man called on her early in February, saying he came from Mr. Soames, the solicitor for the *Times*, and asked her to use her influence with her husband. He said that if she would do so it would be of great benefit to her and her husband, and that, in fact, his imprisonment would cease. He also said

he had mentioned some things to the prisoner which he was aware the prisoner knew. This is one way of getting evidence. They go to a prisoner and tell him first what they are aware he knows of and then they ask him to swear it. Mrs. Mullett goes on to say that the man said her husband was very indignant, and said it was a lie. Her answer to the request made to her was that, although she was very poor and struggling hard to keep a home for her husband, she would not raise her little finger to cause him to say what was wanted if it would give her a million of money. I come now to the case of Delaney, the convict, who was put into the box by the Attorney General to swear to the truth of some of the forged letters and pave the way for Pigott. As I have said, Delaney was convicted three times. How was his evidence procured? A gentleman named Shannon, an Irish solicitor, not himself an Irish official, but the brother of a stipendiary magistrate in Ireland, went to the prison in which Delaney was confined. Delaney had told the prison officials that he would see no one but an official of the Crown, and the prison officials, acting in collusion with Shannon, introduced him as a Crown official. Shannon read a paper to Delaney to prove he was a Crown official. Mr. Shannon is the man who, after Pigott had confessed the forgery in the witness-box, extracted from him, of course by a promise of money, a false affidavit that certain of the letters were true, and then, when Pigott telegraphed from Madrid in a name which had evidently been agreed upon for the purpose, for the fulfilment of the agreement, Mr. Shannon left the poor wretch, who was the victim of men as criminal as himself, to die a pauper in a foreign country, by his own hand. Mr. Shannon, besides representing himself as a Crown official, illegally administered an oath, and took a statement from Delaney, who gave his evidence a month before Pigott was called. He swore that eight of the forged letters were true, that Brennan was connected with the Invincibles, and that Frank Byrne made a payment to the Invincibles. It was upon this evidence, which was rejected by the Judges, that the hon. and learned Member for Bury (Sir H. James) suggested that if a certain book had been produced it might have shown that that payment was made by Frank Byrne. How was this valuable evidence obtained? Here is a letter written by Delaney, on the 5th of September last year, eight months after he gave his evidence. It is addressed to Doctor Carte, of the Royal Hospital, Kilmainham. Delaney says:—

"I must humbly and respectfully request now, after my long years of imprisonment, that you will see the promises which was given to me fulfilled. All other men who has been produced as Crown witnesses was liberated. I am kept in prison now going on seven years. You know I have done all, that any man could do, both given important information and as a witness."

Will the House observe the distinction between information and evidence? Information has in the vocabulary of this man and his employers a more inclusive meaning than evidence.

"Still an exception is made with me. I am kept in prison and persecuted. I petitioned several times and got no reply. I never thought the Government would treat me in such a way, and that an honourable Gentleman like you would allow it after all the promises that you gave to me. I have done all which you asked me to do, and still I am persecuted, not only myself, but my wife and children. Honourable Doctor, all I ask is that you will fulfil the promises you made to me, not only for my sake, but for the sake of my poor wife and children.

"I am,

"Your humble and obedient servant,

"PAT. DELANEY."

I have now to deal with Mr. P. J. Sheridan. My hon. Friend the Member for the Harbour Division of Dublin read telegrams which have passed between Mr. Soames and his agents in America. Those telegrams disclosed three facts—namely, that Mr. Hoare, British Consul in New York, was authorised to act by the Foreign Office I presume, as purveyor and agent for the *Times*; that Mr. Soames was at one time arranging to give an enormous bribe to a man whom the *Times* had itself accused; and that long after Pigott's confession, and certainly one month after his death, Mr. Soames, acting under the advice of counsel, was conducting negotiations in America in the vain hope of proving the forged letters. The Attorney General says that was in relation to a civil action. Whether it was in relation to a civil action or not the telegrams referred

again and again to the Commission, and one said—

"Court has adjourned for six weeks; come back at once."

The *Times* and the learned Gentleman argue that it was the duty of the *Times*, if possible, to bring Sheridan into Court. I do not question that, but we have to inquire what they wanted Sheridan to swear. I have in my hand an affidavit made by Sheridan on May 28, 1889. Sheridan was sought out by the agent Kirby, and I have no reason to doubt his statement, because observe if his bribed evidence was good enough for the Commission, his unbribed evidence is certainly good enough for this House. Sheridan swears—

"During one of our interviews Mr. Kirby told me that he was recommended by Sir Charles Tupper, Agent General for Canda, and that when last in England he had met Lord Salisbury, who was anxious to know from him how he was progressing with his commission from the *Times*, in America."

The inquiry was given to us to clear our reputation, but Lord Salisbury appeared to be so anxious on the incriminated Members' account, that he could not wait for the evidence to be given in Court, but must hold private conference with this spy. [*Cries of* "No."] Some hon. Member seems to doubt the probability of this. Lord Salisbury is an uncommon Prime Minister. His relations with some individuals are unprecedented. I certainly never heard of a Prime Minister who took into his personal management the conduct of a Newgate case. I have here a letter from Lord Salisbury to Pigott. It is written on the paper of the Foreign Office, and is dated from Hatfield House. It was apparently written long after the forgeries, long after the publication of *Parnellism and Crime*, and the most curious part of the matter is that the letter is marked by the word "private." [*Cries of* "Read."] Patience, give me an inquiry by a Select Committee, and I shall satiate with reading even the hon. Member for South Belfast (Mr. Johnston.) What, I ask, was the nature of the relations which necessitated private communications and intercourse between the Prime Minister and the forger? The country will ask the question, and will expect an answer. The Civil Lord of the Admiralty (Mr. Ashmead-Bartlett) whom I see smiling, was certainly more sagacious than his chief—though that may not appear from his public speeches—in his dealings with Pigott, because when Richard Pigott sent to the Civil Lord some revelations for his paper called *England*, the Civil Lord sent to Pigott one sovereign, possibly two, and when Pigott waxed wroth at the meagreness of the remuneration, the Civil Lord urbanely replied that such stuff as that was usually given for nothing. But I have wandered from the affidavit of Sheridan. What did Kirby say to Sheridan?—

"Kirby informed me that the *Times* people did not think that I was a cheap man. 'Come over to London,' he said, 'and name your own price.' I told Kirby to go back and tell his friends that they had not gold enough to buy me, even if I had any secrets to sell, which I had not."

Kirby went back, and said he had *carte blanche* from the *Times* to close with him at any price. Sheridan said—

"I had thought a good deal on the subject of this first interview when I saw Kirby again, and I had determined to get as much information from him as I could, and to fool him and his employers. Therefore, I announced a change in my views, and was asked by him to name my price. I asked, 'Will the *Times* pay me $100,000?' and Kirby replied, 'Yes, provided your evidence gives satisfaction. You will be paid the amount within an hour after your examination closes.' 'What,' said I, 'would you consider satisfactory evidence?' He replied, 'The *Times* want evidence to the effect that Parnell was a party to the Phœnix Park murders.' 'Your evidence will assure for you fortune, and name, and the full protection of the Government.' I said, 'Is the Government aiding the *Times* and paying its expenses?' 'Not as a Government,' he replied, 'but as individuals.' I suggested the advisability of my being posted up in the evidence to be given by other witnesses in order that mine should be corroborative, or at any rate not contradictory. In reply, he said 'that a series of questions and the answers to them would be prepared by Mr. Soames as soon as he got back to London, after which he was to return with them, and perfect his arrangements.'"

When Kirby was in London, it appears he asked Mr. Soames where he had got the information that Sheridan had offered to give evidence, as no such statement was contained in Sheridan's affidavit. Mr. Soames replied that he had purposely refrained from reading the report of his agent. Before giving evidence, Sheridan went on to say—

"After some hesitation, Kirby consented to my terms, and said he could speak for both the *Times* and the Government in accepting them. On May 21, Kirby again called at my ranche, and arranged that he would pay £10,000 for my wife. 'Remember,' he said, 'It is for your wife, and you will be able to state on the stand—[that is the American phrase for witness-box]—that you have received no money for giving evidence.'"

Here we have the eminent solicitor for the *Times*, advised by counsel, arranging through his agent that a witness should commit perjury in Court by swearing that he had received no money for his evidence, when his wife had received £10,000 on his behalf and, of course, substantially for him. The whole thing was an infamous and scandalous business from first to last. This is the visiting card which Kirby presented Mr. J. T. Birch, a gentleman who came from the office of Mr. St. John Wontner, a solicitor often employed by the Treasury, presented his card to Sheridan and asked him to repeat the nature of the contract between him and Kirby, and to state how far his evidence could be corroborated by the documentary evidence in his possession. This he refused to do. Is not this an infamous story? The evidence that he was to give was suggested, and an enormous bribe was offered. And the Attorney General states that the negotiations were wound up because they had no corroboration of Sheridan's evidence. [The ATTORNEY GENERAL signifies assent.] That means that in the middle of 1889 they had no evidence whatever on a mortal and deadly charge against the hon. Member for Cork, which the Attorney General pledged himself to prove in 1887. The hon. and learned Gentleman's pledge will not in future be worth a farthing in any political pawn office in the country. I have a few words to say relative to the finding against my friend Mr. Davitt. It was charged that Mr. Davitt had been a Fenian, and had been convicted as such. Mr. Davitt has never denied it, and everyone in the country knew it. If anything could prove the salutary character of the movement inspired by the hon. Member for Cork, and lifted into the region of Imperial action and policy by the right hon. Gentleman the Member for Mid Lothian, it is the fact that the movement has brought a man like Mr. Davitt—a man of his rare gifts and justly great influence with the people for whom he has suffered—out of the dark ways of conspiracy into the open highway of Constitutionalism. Let the House listen to the last words of Mr. Davitt before the Commission—words which no man in Court heard without emotion. He said:—

"I can only say that I represent the working classes of my country here as I did in the Land League movement, and I know that they feel as I do—that no matter how bitter past memories have rankled in our hearts, no matter how much we have suffered in the past in our persons or in our country's cause, no matter how fiercely some of us have fought against and denounced the injustice of alien Government, I know that before a feeling of kindness and of good-will on the part of the people of England, Scotland, and Wales, and a belief in their awakening sense of justice towards Ireland, all distrust and opposition and bitter recollections will die out of the Irish heart, and the Anglo-Irish strife will terminate for ever when landlordism and Castle rule are destroyed by Great Britain's sense of reason and of right."

Now, Sir, I want to draw a little moral, and I propose to contrast these words with the words of a Unionist partisan and pamphleteer, contained in a letter addressed to P. J. Sheridan by Mr. William Henry Hulbert, who has done yeoman service to his Party as a knight of the pen. Mr. Soames stated that Mr. Hulbert had said he had seen a letter like the *fac simile* letter in the possession of P. J. Sheridan. The letter was dated 12, Southwell Gardens, Cromwell Road, April 6, 1889, and contained the following—

"I do not know how far or how accurately the proceedings taking place now before what is called the Parnell Commission may be reported in America. . . . . If your recollection of the interesting conversation I had with you in my office in New York in 1883 is as vivid as mine, you will quite understand the impulse which prompts me now to invite your serious attention to the elaborate efforts which are now being made here to convert Parliamentary Parnellism from an Irish and revolutionary into a British and Radical organisation."

Mr. Davitt, the Fenian, is willing to testify that he would strain every nerve to put an end to the distrust and dissension between the English and Irish peoples, whilst this Unionist partisan and pamphleteer endeavours to consort and conspire with a man whom his Party denounced as a murderer, in order to keep the Irish people still in the ways

of rebellion and conspiracy, and to prevent them from turning into the paths of Constitutionalism. The policy of the Unionist Party, I pronounce, is to create distrust in England and disaffection in Ireland in order that by dissension they may rule. But the people of England and Ireland are now determined to be friendly. They are resolved to be mutually helpful to each other. They have the will, and they see the way. And, in spite of conspiracy, wherever it may be, either on the Treasury Bench or in the Clan-na-Gael, they will effect their object. The Motion of the right hon. Gentleman opposite is a Motion calculated to perpetuate ill-feeling between Parties in the House, and what is still more serious, to perpetuate strife between the nations of the United Kingdom, and between the British and Irish races throughout the British Empire. What more could be said against it? But, on the other hand, the greatest Englishman of our age has appealed, by his Amendment, to his own countrymen, not to the Irish people, to do an act of manifest and simple and undeniable justice, even though tardy, to a body of men who have to sit among you here, who are the representatives in the House of another people, and who in this case have been calumniously and most foully accused. Will you take the opportunity which the greatest of living Englishmen offers? If you frankly take it, the act may be accepted. If you refuse the opportunity and allow it to pass away I think it will never return. For my part I shall be perplexed to think what may be the future life of Parties in the House between the men who, having as a Party profited by a foul wrong, refuse to render a simple vindication of the good repute of the men who have suffered by the wrong. If justice is offered it will be accepted; but if it is refused, thank Heaven the Irish Party is able to do without it as far as the present House of Commons is concerned, and as far as the present effete majority is concerned. We shall still persevere; our cause will prosper; and the Irish people will win their right. The people of England will know what to think of the men who, when the poisoned weapon was shattered in their hands, endeavoured still to stab their enemies with the broken blade. The generous people of England will not suffer their minds to dwell upon the errors, or, if the House cares to call them so, the excesses, into which the National Party were driven or led at times by the terrible necessities of the case. The people of England will prefer to think that we have suffered and struggled; that we have achieved much; that we love our country as much as Englishmen love theirs; that we have served her and are faithful to her at every hazard in the hour of her bitterest need. I do not fear the verdict. My friends and my political comrades who sit round me are sustained in this and in every trial by the one sure prop of an approving conscience, which no conspiracy can suppress. For my own part I solemnly declare that when the dread hour comes to me, when I shall care no more for calumny and human judgment, I shall recall in that hour with joy, aye with hope in the justice of the eternal Judge, all the part, and it is but a humble part, I have been able to bear in these troubled and terrible years in saving my own people from as base and cruel a system of rapacity, acting in the name and under the shield of the law, as ever cursed this earth.

(7.43.) MR. H. H. HOWORTH (Salford, S.): I welcome the intervention in this debate of the hon. Member for West Belfast, not merely because he is a distinguished orator who addresses this House often with pathos and always with effect, but also because the speech which he has made forms a very welcome break in the torrent of forensic oratory of which the House has had too much. Had it been necessary to prove that the Bar retained its cunning in argument and rhetoric the exhibition might have been justifiable, but it seems to me that no more indecent spectacle was ever witnessed in the House than that of hon. Gentlemen who have been taking part in a great State trial transferring their legal polemics and bitter recrimination to the floor of the House of Commons, and endeavouring to re-try an issue which cannot be tried with justice by the House of Commons. We have been told by one of these gladiators that we are re-trying the issue which was tried before the Commission. How can the House of Commons re-try such an issue? Many of us have not read the evidence, and those who have read it have not seen the witnesses or their de-

meanour. It seems to me a singularly unfortunate circumstance that not only have we had sharp criticism on the evidence and on the conduct of the Judges, but that also some speakers have introduced fresh evidence, both written and oral, which has never been subjected to that test which alone makes it satisfactory—the test of cross-examination. It is for these reasons that I hold it to have been somewhat indecent and wholly useless that these speeches should be delivered by men who are not only expressing their opinions, but are speaking in consequence of having been retained by one side or the other in the Court, and are speaking, moreover, for briefs on which they received fees. All arguments advanced under these circumstances will naturally be discounted by the House and by public opinion. Have these speeches affected the judgment or opinion of a single individual in this House or in the country? It seems not. But they have left behind them in some of us very uncomfortable memories indeed, for it has been a painful thing to witness these virulent conflicts between members of a noble profession, and to hear young Members speak with disrespect of Judges who were distinguished lawyers when their critics were born. But apart from the uselessness of this display, the discussion has been diverted into very low grounds indeed. The right hon. Member for Mid Lothian in his magnificent speech placed the debate on a high level; but subsequent speakers have brought it down into the mire by the discussion of petty details which are more fitted for *nisi prius* than for this great Assembly. It is singularly unfortunate that this divergence should have taken place, because the real issues before the House are very serious indeed. In speaking in this debate, I stand on somewhat different ground from other Members. I was from the beginning opposed to the granting of this Commission, and for good reasons. The charges formulated by the *Times* are divisible into two great categories—moral and political. The House of Commons is not the place to decide upon moral issues. It makes no difference to this House whether the Irish Members are angels of light or the reverse. Our only concern is whether the aims and objects of those Members are compatible with the safety of the Empire and the welfare of Ireland. It seems to me that in discussing as we have done the moral gravity which attaches to certain offences charged against the Irish Members, we have been discussing an utterly irrelevant issue. Had all the charges been proved to the hilt, it would have made very little difference, indeed, to us as politicians, and to our views in regard to the great question of Home Rule. Take, for instance, the Parnell letter which has been so much discussed here and elsewhere. I expressed the view 18 months ago in the pages of an old review, that if the letter were proved, it would merely show that Mr. Parnell at a difficult crisis when he was surrounded by ruffians who were prepared to assassinate him should he show that he was ceasing to be in sympathy with them, did write a letter which appeared more or less to palliate what they had done. But the morality of such a letter is a question to be tried in another Court. Therefore, these charges ought not to affect our views on the question of Home Rule. From this point of view, the very charges on which the hon. Member for Cork has been acquitted are really immaterial to the real issue. The real question for us, and it is that upon which the Judges have effectively decided, is that the policy and means employed by the respondents are dangerous to the Empire and to the future prosperity of Ireland; that these means and aims involve not only boycotting, but the attempt to drive out of the country the whole loyal class, the landlord class, and the educated class, and to bring the country under the rule of the priests. That is a political finding of enormous importance. Another is, that two distinguished Members of the House had in view from the beginning the absolute separation of Ireland from this country. The hon. Member for Cork is seldom seen in the House, and there are many signs which lead us to suspect that the hon. Member's power and influence with his countrymen are waning. Who are to succeed him but these two men whom the Judges have found to have had from the beginning but one object, and that was the total and final separation of this country from Ireland? These are the findings which ought to weigh a great deal more with us than mere refer-

ences to the moral aspect of the question. Anothing finding of the Judges is also most important. It is that the Irish Members engaged in this movement invited the co-operation of the enemies of this country on the other side of the Atlantic to do what the Whiteboys and other Irish revolutionary bodies did at the end of the last century, and that they put their country at the mercy of a faction which has been proved to be capable of crimes of the utmost enormity. These political conclusions of the Judges are of far greater importance than any verdict with regard to the moral aspects of boycotting or the Plan of Campaign. Upon the really important issues the Judges have found that the conduct of hon. Members opposite have been both bad and dangerous. Other findings of the Judges have given us much gratification. It is necessarily and naturally a source of pleasure to those of us who, since we have been in the House, have been on friendly terms with many of the Irish Members, to find that of the grave moral charges, which ought never to have been mixed up with the political, those hon. Members have been proved to be as innocent as ourselves. But, at the same time, if we are to be just, if we are to show not merely judicial but political prudence, we must come to the conclusion that these men have been found guilty of political crime—of the crime of conspiracy against the Empire by means and methods which cannot be justified by politicians any more than they can on the ground of morality. For this reason I shall vote for the admirable proposition of my right hon. Friend the First Lord of the Treasury, which commits the House to nothing but the recognition of the performance by the Judges of the difficult task which was placed before them. I take exception to one phrase in the Resolution, because I think it as incongruous to thank Judges for their fairness and impartiality as it would be to congratulate hon. Members generally that they are free from the imputation of dishonesty. Otherwise the Resolution is a prudent and sensible one, as it thanks the Judges for the work they have done, while it leaves the House in a position of absolute neutrality without committing it to either praise or blame. If the House does justice as between two litigants, it cannot congratulate hon. Members that they are innocent of certain offences that have been charged without at the same time recognising that they have been proved guilty of others. Those who believe that the offences of which hon. Members are proved to be innocent are trivial, compared with the political crimes of which they are found guilty, cannot vote for the Amendment which attaches blame to those who brought the charges because they have not succeeded in proving some of them. On the ground of prudence, as well as policy, it would, I think, be exceedingly wise for this House not to champion either one side or the other in a great State trial; it should rather take the prudent course of saying that it wishes neither to attach blame in regard to offences which have been proved nor express satisfaction in respect of the offences of which the Judges have acquitted the accused, but that it should simply accept the finding of the Judges and thank them for the admirable work they have done. I shall, therefore, vote against Amendments which more or less traverse this rule.

*(8.3.) Mr. E. T. GOURLEY (Sunderland): If serious charges have been proved against hon. Members for Ireland, why do the Government not prosecute the accused? Surely if they have been so guilty as is suggested, they ought to be prosecuted. The Attorney General, in dealing with this question the other night did what he has done before—as in the case of "O'Donnell *v.* Walter"—he trotted out a dark horse. He said he had in his possession depositions which, if he had produced them in Court—and he was prepared to produce them to any lawyer—would have not merely justified the finding of the Judges, but would have justified a much stronger finding. This, however, whilst food for lawyers, would not convince the country. I hold that all hon. and learned Gentlemen who were engaged in this case ought to have held their tongues in this debate, however eloquently and powerfully their voices may have been used. They have spoken from the point of view of paid advocates, and, whatever they may have advanced, the country cannot believe that they are altogether free from bias. The opinions they have expressed in the House must be the opinion of the clients whom they represented before the

Court, and hence I hold that the hon. and learned Gentlemen who have been engaged in this case have acted unseemly, and had no right to take part in the debate. Why was this Commission appointed? It was appointed entirely because of the publication of the *fac simile* letters in the *Times*. If it had not been for the publication of these letters, the Government would never have consented to the appointment of the Commission. When hon. Members for Ireland, and when the leaders of the Opposition, asked for a Special Committee to inquire into the charges made in *Parnellism and Crime* in the *Times*, the Government refused to grant it; but when the Parnell letters appeared, the Government agreed to grant it, and they granted the Commission because it was hoped that the genuineness of these letters would be proved. And, if so, it would have pulverised at once not only the Opposition, but the position of the leader of the Liberal Party as well as the leader of the Irish Party. Fault has been found on the ground that the Land League books were not produced; but, on the other hand, the Judges have passed over altogether comment upon the non-production of the Anti-League books; they even refused to order their production. They passed over the refusal of the Anti-League Party, represented by Mr. Houston, to produce the Anti-League books. If it was right and necessary that the books of the Land League should be produced, I hold that it was necessary also that the books of the Anti-League Party should be produced. With regard to the funds in the hands of the Anti League Party, if their books had been produced, in all probability it would have been discovered that some of these funds had been provided by leaders or Members of the Tory Party. In my opinion, in refusing to order the production of the Anti-League books the Judges exhibited a partiality which is much to be regretted. Then, again, in reference to the comments of the Judges in regard to obscure Irish newspapers, I notice that they make no comment with regard to criticisms in leading articles of the *Times* which were written at the time the *fac simile* letters were published, and were intended to make people believe that the Irish Party in the House were more or less implicated in the crime of murder. I have read the speeches which were delivered on both sides, and I am bound to say that, in my opinion, had it not been for the Land League efforts to assist tenants who were evicted after bad seasons to which Ireland is so often subject, crime would have very much increased and would have prevailed to a much greater extent than it did in the years 1880-81. With regard to crime in 1880, Mr. Forster, when he introduced his Compensation for Disturbance Bill, said that unless something was done for the tenants to prevent evictions, in all probability crime would increase; and then, in 1881, when crime did increase, he changed his front and said that it was not bad harvests and not evictions that had caused crime to increase, but it was the action of the Land League. On the other hand, I hold that had it not been for the course taken by the Land League disorder and crime in Ireland would have been greater than it really was. The Irish Party made a mistake in not retiring from the case directly the letters were declared to be forgeries. (8.15.)

*(8.40.) MR. S. GEDGE (Stockport): We have listened in this debate to several very long speeches, some of them of nearly or quite two hours' duration, and I am happy to inform the House that I do not intend to trench at any such length upon its time. But having formed my own independent and conscientious opinion, I desire to state the reasons why I have come to the conclusion that I ought to give my vote in favour of the Motion of my right hon. Friend the First Lord of the Treasury and against each and all of the Amendments that have been placed on the Agenda of this House. I had not the opportunity of hearing the speech of the right hon. Gentleman the Member for Mid Lothian last Monday evening; but I read it very carefully twice over, and having, as the right hon. Gentleman appealed to us to do, considered the subject in the stillness of my chamber, I have come to the conclusion that I shall be right in voting for the Motion of my right hon. Friend. Looking at the facts of the case, I think that a very large portion of the speeches I have heard, eloquent and occasionally pathetic as they have been, had very little relation to the subject-matter before the House. We are asked by the First Lord of the Treasury to adopt the

Report, and to thank the Judges for their impartiality and for the labour and pains they have taken in the exceptional duty thrown upon them. My hon. Friend behind me objected to thank the Judges for their impartiality because all Judges have been just and impartial, and the House would not think of thanking them for the discharge of their ordinary duties; but this is an extraordinary duty, which involved an enormous amount of time and trouble; and the House may very well thank them for what they have done. What is the history of this matter? Certain charges had been brought against the hon. Member for Cork and those acting with him, not in the first instance, by the *Times* newspaper. The principal authors of the charges were the right hon. Member for Mid Lothian, the right hon. Member for Derby, the right hon. Gentleman who represents the Bridgeton Division of Glasgow, and my late lamented friend Mr. Forster. Year after year, month after month, week after week, and almost night after night, these charges have been hurled against hon. Gentlemen. The *Times* only took them up, put them in print, and formulated them, and by careful deductions brought evidence in their support. The hon. Member for Cork had his remedy, and he was challenged to take it. It was suggested in the House that he should bring a civil action against the *Times*, but he declined on the ground that he could not trust a British jury. He has thought better of it since, and has obtained his *solatium*. It was then suggested that he should bring a criminal indictment against the conductors of the *Times*, and the offer was made that it should be done at the public expense and in the name of the Attorney General. But everyone knew that it would be only in his name, for the hon. Member for Cork was to be at liberty to select his own solicitors and counsel. The Government offered to lend him the name of their Attorney General, and that offer was refused. The next year was one of prolonged suffering, about which the right hon. Member for Mid Lothian spoke. During that time the forged letters were in existence and had been published to the world, but no action was brought. The hon. Member for Sunderland would have us believe that it was the production of the letters which led to the Commission, and that it was only when they appeared that a Commission was granted. But the forged letters were in existence a year before the Commission Act was passed, and it was only when the hon. Member for Cork failed to avail himself of the ordinary resources of the law that an extraordinary resource was created for him. They offered him a Commission of three Judges. The Government were perfectly neutral. The Government has never brought any charge. It was the late Government and the *Times* that brought the charges. They simply offered an impartial tribunal which would have full power to make a thorough and searching inquiry into the charges and proofs and to weigh the evidence, and which would return a verdict that must be accepted by all who have any confidence whatever in the ability and impartiality of English Judges of high rank and character. The Government had no other part than to see justice done between the parties. We all know the Commission sat. We all know what was the fate of the forged letters. We know how the evidence in favour of them broke down, and how the *Times* withdrew them as being entirely without proof, and made an apology for having printed them. The Judges took time to consider their Report. What happened then? The right hon. Gentleman the Member for Mid Lothian went down to Chester and made a speech while these Judges were considering their Report. This is what he said last January—

"The proceedings, taken as a whole, towards Mr. Parnell, beginning with the forging of letters in the *Times* and then carried on by the Government and by the majority of the House of Commons, in defiance of all precedent and usage, and in utter violation of their own expressed declarations when they forced upon Parliament the appointment of the most cumbrous, possibly the most inefficient also—but upon that question I reserve my judgment—the most cumbrous and most costly method of procedure on a matter which a Committee of their own, in consonance with Parliamentary usage, would have disposed of in a few weeks, possibly even days, constitutes a case of oppression practised upon an individual by the Legislative Chamber and the Executive Government of the country which has no parallel in the conduct of the proceedings of Parliament since the evil reign of Charles II."

It will be observed that the right hon. Gentleman cunningly takes the proceedings as a whole, and carefully re-

serves his opinion as to the efficiency of the tribunal until he sees which way it decides. If the Commission was what he described it, why did not the right hon. Gentleman oppose the Second Reading of the Special Commission Bill? The right hon. Gentleman talks about a majority of the House, but there was no Division on the Second Reading, and so, the whole House was responsible. Will the right hon. Gentleman now venture to repeat in this House the words I have quoted? Will he say that a Select Committee, consisting of 15 or 17 Members of this House, would have been a less cumbrous proceeding? How in the world could they have put an end to this case in a few days, or even, weeks? How could they have cut short the speeches of counsel? Why, the speech of the hon. and learned Gentleman the Member for South Hackney occupied a few days. Could they have cut short the evidence, and say they declined to take any more? Let us see what he has said in this House since the Report has been published. Did he repeat these charges? Not one of them. We remember that when the Report came out how it was regarded as a fortunate Report. Every one spoke well of it. Hon. Members below the Gangway hailed it as a triumphant acquittal, while others considered that, in the main, the Judges found the important charges were proved. What did the right hon. Gentleman the Member for Mid Lothian say? In this House on Monday last he said—

"The Judges had zeal, ability, assiduity, learning, perfect and absolute good faith, and honour."

That looks like a perfect tribunal. The right hon. Gentleman went on—

"The Judges have fulfilled the best and fullest expectations which we could possibly have entertained of them."

That is pretty high testimony to the result of the Judges' labour. There is only one drawback. The right hon. Gentleman said "They are human." Well, so are we all. I believe that even a Select Committee of the House of Commons is human; "and," continued the right hon. Gentleman, "they had political"—not prepossessions—"sentiments." What would have been the condition of 17 Members of a Select Committee? They would have had something more than political sentiments. They would have had political prepossessions, political prejudices. They, no doubt, would have had good faith, honour, and zeal—perhaps a little too much zeal. But how about their assiduity, their learning, and their ability? Can anyone pretend to say that the average amount of learning and ability of Members of a Select Committee could be anything like the average amount of learning and ability of these Judges? And with regard to assiduity, is it likely the 17 Members of the Select Committee would have sat day after day for months taking evidence and have known all about it? Can we believe for one moment they would have given the same quiet judicial attention to the matter that the three Judges gave; or that their verdict when given would have been received with anything like the approval which has attended the verdict or judgment given by these three Judges? And, again, is there any chance that the Report of the Committee would have been unanimous? There would have been a Report of the majority, and very possibly one or more other Reports. The right hon. Gentleman tells us it is physically impossible—and I quite agree with him, and it is morally impossible—a phrase I do not understand—for any one of us to have read all the evidence. What is the wise course for men who cannot read the evidence, who have not seen or heard the witnesses, to take? Surely it is to say we have delegated the matter to a competent tribunal, and we accept the judgment of that tribunal, as it is a million to one that that judgment is a righteous judgment. That is what we desire to do. We are not a Court of Appeal, and it is impossible that we can be. The right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) who, like myself, is a solicitor in large practice, who must have had a good deal to do with all sorts of legal cases, cavilled at and doubted the evidence of Le Caron; but when asked if he had read Le Caron's evidence, he replied, "A part of it." I can conceive my right hon. Friend having won some case at the Assizes and meeting in his club a friend, who said to him, "I think that decision was wrong." "Did you hear the evidence?" the right hon. Gentleman would ask: "No." "Have you read the evidence?" "I have read a little of it." "Did you see the demeanour of the witnesses in Court?" "No." "Then you are not

a competent judge" my right hon. Friend would say at once. And I say that the right hon. Gentleman, like myself, is not a competent judge in this matter. What does the right hon. Gentleman the Member for Mid Lothian ask us to do? He asks us to reject the proposal of the Government, firstly because it is contrary to Parliamentary usage, and, secondly, because it is contrary to common sense and propriety. I maintain the exact contrary. It would be contrary to Parliamentary usage not to adopt the Report. Take the case of the House of Lords, which is one branch of Parliament. Most important questions involving property and sometimes liberty come before that tribunal. That tribunal, consisting of 400 or 500 Members, is the highest Court of Appeal in the realm. It is answerable for the decisions given, but it delegates the work to a small number of its Members called Law Lords, who meet to take evidence, hear the arguments of counsel, and then come to a conclusion. What would be thought if any other Member of the House, not himself a trained lawyer, and who had not attended the trial of the appeal, were to attempt to outvote the Law Lords? Such an attempt would be immediately scouted. What does this House do with regard to the trial of election petitions? It sends down two Judges to try the petition, and upon their Report it unseats or seats a Member of the House. What would be said of any Member who attempted to review the decision of the Election Judges. Such an attempt would not be tolerated for a moment. What does the House do with regard to ordinary private Bills such as the Manchester Ship Canal Bill? No doubt in a case in which some important principle is involved the House might reject the Bill on the Second or Third Reading, though such a case rarely happens; but in regard to a case which depends upon evidence, the House never ventures to upset the decision of the four gentlemen to whom the consideration of the Bill has been deputed. Therefore, for this House, having delegated an important matter of this kind, to review the decision is to do that which we are incompetent to do. The right hon. Gentleman the Member for Mid Lothian proposes that we should say—

"This House deems it to be a duty to record its reprobation of the false charges of the greatest and most odious description based on calumny and forgery which have been brought against Members of this House, and particularly against Mr. Parnell."

If the right hon. Gentleman was not, as he is, such a master of the English language, one might wonder at the wording of the Resolution—"false charges based on calumny"—calumny is a false charge. The right hon. Gentleman goes on to speak of the wrong inflicted by "these acts of flagrant iniquity." How a word can become an act I fail to see. We are to take one portion only, and that the minor portion, of the findings of the Judges, and to record our reprobation of the false charges brought and express our regret at the wrong inflicted and the suffering entailed. As to the suffering and agony, the hon. Member for Cork has only himself to thank. He might have brought his action in 1887 instead of waiting until 1889, and he might then have obtained the vindication of his character which he so much desired. He has obtained his *solatium*, for he has £5,000 in his pocket for the years of suffering which he has so needlessly endured. It strikes me there is a great sense of disproportion in this matter. These forged letters have really been a God-send to the hon. Member. No one ventured to say that with regard to the forged letters the antecedent probabilities were that the hon. Member had not written them. When the letter with regard to the Phœnix Park murders was published, the hon. Member gave it only a half-hearted denial. [*Cries of* "Oh!"] I am stating the fact as it appeared to me two years ago or so. The hon. Member said, "I do not think I could have ever written such a letter," and that "the signature is not the one I used at the time. I wrote a different signature." In January, 1880, the hon. Member said, in reference to an agrarian murder, "I think the people murdered yesterday will help us forward now;" and in the same month he said—

"We are obliged to make the situation a very hot one indeed. It is impossible to suppose that the great cause can be won without shedding a drop of blood."

At New Ross, in 1880, he said—

"Shooting is a procedure entirely unnecessary where there is a suitable organisation among the tenants."

In October, 1888, he spoke at Cork of the "wild justice of revenge," and said—

> "If the lives of a few landlords have been taken, on the other side the lives of 25,000 of the people of the country have been taken."

All this does not look like such tremendous reprobation of anything of the kind. The forged letters were, after all, but so many bits of evidence in support of the general charge of which the Judges has found most of the hon. Members opposite guilty of having pursued a system which they knew led to crime. I say there was no antecedent improbability of the hon. Member having written that letter except so far as it would have been an utterly stupid thing to do. It is suggested that the *Times* was a party to the forgery of the letters. We know the old adage, "In vain is a net spread in the sight of any bird," and we are asked to believe that not only was the net spread in the sight of the bird, but that the bird took an active part in weaving the net. I cannot express too strong an opinion of the stupid and almost criminal recklessness with which the *Times* allowed itself to be taken in. These forged letters have really been a God-send to the Party opposite. They took the imagination of the British public. They were like a red herring drawn across the scent of hounds in full cry. They were proved to be forged, and hon. Members opposite have since gone about crying out that the whole case against them has broken down. The British public, to a certain extent, believe that. But we cannot be misled in that way. We cannot treat as heroes, and as entitled to sympathy, men who have been found guilty of very grave acts of misconduct, merely because other charges against them have been disproved. The right hon. Gentleman the Member for Mid Lothian quoted Mr. Disraeli as saying in 1844 that nothing was done for the benefit of Ireland except as the result of agitation; and he stated that for 25 years afterwards nothing was done. Well, for 19 years of that time the friends of the right hon. Gentleman (Mr. Gladstone) was in power, and for 12 years he himself was in high office. The right hon. Gentleman says his Irish Church Bill of 1869 and the Land Act of 1870 were not brought about by the agitation. We know the Irish Church Act was passed to save the Liberal Party from breaking up. But, was there no agitation? How about the "chapel bell?" The right hon. Gentleman succeeded to power in 1870, and found, as he said himself—

> "An absence of crime and outrage, with a general sense of comfort and satisfaction, such as has been unknown in the previous history of Ireland."

But soon there was a whole peal of "chapel bells" ringing again, and the result was the passing of the Act of 1881. I quite admit that when the right hon. Gentleman was in power he granted nothing to Ireland unless it was in response to an agitation. The hon. and learned Members for South Hackney (Sir Charles Russell), Dumfries (Mr. R. T. Reid), and York (Mr. Lockwood), tried to find fault with the conduct of the case by the counsel for the *Times*. What in the world has this House to do with the conduct of the case by the counsel for the *Times?* The counsel on each side did the best they could for their clients. I should like to know since when it has been the custom of the Bar of England to make attacks of this kind on opposing counsel. In my young days, when we really had great men at the head of the Bar of England, they would have been ashamed to adopt such a course. The proceedings of hon. and learned Gentlemen opposite remind me of nothing so much as children quarrelling over their games and then running home to tell their mother how unfairly somebody has played. It is perfectly well-known that so long as the present system continues the Law Officers of the Crown will take private business; but they do so not as Law Officers but as individual barristers, and the House has nothing to do with the way in which they conduct their cases. These three counsel, however, being men of experience, stopped short of actually attacking the Judges. They seemed

> "Willing to wound, and yet afraid to strike,
> Just hint a fault, and hesitate dislike;"

but their learned junior, the hon. Member for East Fife (Mr. Asquith), who has just taken silk, went a step further than his learned leader, and did not hesitate to attack the Judges themselves. It reminded me that "fools rush in where angels fear to tread." When the hon. and learned Member is older and a little nearer the Bench, he will know better than to attack

any of Her Majesty's Judges unless he is prepared to follow his action up by a Resolution asking Her Majesty to dismiss them from the high office they hold. I hope the hon. and learned Member will go home and think over the indecency he has perpetrated, and do so no more. The right hon. Gentleman the Member for Mid Lothian was anxious that we should not condemn Mr. Parnell for anything that appeared in the *Irishman*. What were the right hon. Gentleman's reasons? First, he said the circulation was very small, and then he said it only lived four years. I never heard such excuses for the atrocious articles which the Commissioners quote from that newspaper. They remind one of the excuse made by Jack Easy's nurse for the misfortune she had had, namely, that her baby was a very little one, and that it died very soon. The hon. and learned Member for South Hackney (Sir C. Russell) says the hon. Member for Cork has, during the last 10 years, done more for Ireland than was done by the whole of Great Britain during the preceding 80 years. It is a remarkable fact that during half the time referred to the hon. and learned Member was supporting the Government of the right hon. Gentleman opposite, and that the principal object of that Government was to stop Mr. Parnell and his friends from doing their great work. In the year 1885 the right hon. Gentleman the Member for Mid Lothian appealed to the constituencies to give him a majority which might free him from the temptation of doing what the hon. Member for Cork and his friends desired him to do. The fact is, that the merits of the hon. Member for Cork and his friends were not discovered by Gentlemen opposite until they wanted their votes to lift them into power. The right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) asks us why we cheered any quotation from the Report showing that the charges had been brought home to the Irish Members as if we were delighted. I say honestly that no one would have been more glad than I if they had been declared not guilty of all the charges brought against them. It is a sad thing that the Representatives of a majority of the Irish people should be found guilty of such grave and serious offences. The references to the Report were cheered on this side of the House, not from joy at the charges being proved, but to show our acquiescence in the decision of the Judges. The Member for Wolverhampton said that whatever the character of the Irish Members might be, if he sat on this side of the House his opinion on Home Rule would be the same. To this extent I agree with the right hon. Gentleman that if the Irish leaders had been proved to be the immaculate persons they are represented to be, my opinion as to the merits of Home Rule would be the same. But *à fortiori*, their character having been shown to be what it is, the case against Home Rule and handing over Ireland to these Representatives of the disloyal population of Ireland is infinitely strengthened. I know that hon. Members from Ireland opposite do not represent the merchant classes, the landed classes, the professional classes, or the trading classes, and they represent only to a small extent the educated classes. When I look to the character of the Irish Representatives as shown by the Report, there is tenfold reason for objecting to a change which will hand over the loyal two millions of Ireland to their dominion and rule. In my opinion, the Report must either be taken as suggested by the First Lord of the Treasury, as a whole, or it must be taken clause by clause. If we take any part or clause of the Report, then we are bound to go through the whole. Yet what the Amendment proposes is merely to reprobate the *Times*. The *Times* may have been stupid and credulous, but it erred in good faith, and the result has been to bring home to hon. Gentlemen opposite a large proportion of the charges made against them. With respect to the letters, so far as the evidence goes, the *Times*, I think, has erred with stupidity and credulity, although, perhaps, if they had had the opportunity, they might have shown that they had better evidence than appeared. Taking the inquiry as a whole, there is no doubt that the *Times* has done good service to the country, and I see no reason whatever why the House should express sympathy with hon. Members or use expressions of reprobation for what the *Times* has done.

(9.35.) MR. WALLACE (Edinburgh, E.): I am not disposed to follow the encyclopædic attack which the hon. Gentleman who has just sat down has made on the most distinguished speakers on this side of the House. I think it safe

enough to leave their reputation and performances to stand side by side with the hon. Gentleman's criticism before the public mind. The hon. Gentleman spoke in a tone of reverence for the Judges which, great as is my own reverence for those high officials, I thought a great deal exaggerated. I only wish the hon. Member had the same respect for the spirit as for the letter of the judgment of the Commissioners. If the hon. Member had paid equal attention to that portion of the Report in which they were acquitted of the graver crimes, such as murder, he would not, I think, have been so grudging in his references to the acquittal of the Irish Members. I have risen chiefly to say that it seems to me that the Resolution of Her Majesty's Government to stand by the Motion is practically a confession of defeat and failure, and their rejection of the Amendment is proof of their inability to accept defeat with equanimity. The only way for them to escape from their present false position is courageously and honestly to reverse their attitude towards the Motion and the Amendment. I can scarcely construe the Motion as having any practical meaning at all—it seems to me to be very like the gasp of inarticulate ineptitude translated into articulate form. When its different clauses are analysed, they seem to me to crumble away into nothing. The First Lord of the Treasury begins by flinging the Report at our heads, and telling us, in a somewhat peremptory manner, to adopt it. It seems to me that to send questions containing problems of a political, historical, social, and economic nature such as are involved in this inquiry to be tried at *nisi prius* is as absurd as it would have been to send the French Revolution for trial at the Middlesex Sessions, or to send Cæsar to be tried before an Official Referee. Without meaning to cast any disrespect on the institutions of public justice, I think we could hardly expect the Judges to span the planetary system with their school compasses, or to scan the surface of the sun with their sixpenny reading lamps. Notwithstanding that the Commissioners disclaim any inquiry into historical, political, or social questions, yet there is in the Report a good deal of disquisition of that character, and that is one reason why I cannot adopt the Report as a whole. It is impossible for us to have substantially studied the evidence or even to have compared with the evidence the references to which the Commissioners expressly call our attention. It is therefore only possible for us to adopt the Report in the physical sense of putting a piece of printed stationery on the Table. To adopt it in any judicial sense is utterly impossible. We are asked to adopt the unadoptable. The Motion only escapes from being an indefensible absurdity by being no proposition at all, and by conveying no idea whatever. When the First Lord of the Treasury asks us to adopt the Report he is not giving utterance to any coherent human conception—he is simply making a Parliamentary noise. The second part of the Motion thanks the Judges for their impartial conduct in the matter. This is only a piece of useless padding, in order to make it look big and more imposing to simple minds. I can put no other construction upon it when I look at the utterly uncalled-for and even objectionable character of such a clause. I suppose it is intended to be a compliment to the Judges. But it by no means seems to be complimentary. Were I a Judge I should not be grateful to anyone for thanking me for being just and impartial, just as if he were surprised at it, and just as if it were uncommonly good of me to be just and impartial. It is the business of the Judges to be just and impartial. The difficulty for a Judge, especially of any experience, would be to be anything else than just and impartial. To thank a Judge for being just and impartial is very much like thanking the Duke of Cambridge for not running away in battle, or thanking the Lord Mayor at one of his banquets for not picking his guests' pockets, or thanking the Archbishop of Canterbury for not telling lies or for not maintaining the Macedonian heresy. It is almost insulting—of course, unintentionally so—both to the House of Commons and to the Judges. I say it is taking a liberty with me to ask me to pronounce the Judges to be just and impartial when you have not allowed me to examine the materials on which the decision as to this justice and impartiality alone can be reasonably based. What will the Judges think of your offering them this miserable compliment? Certainly it is putting them in an undignified and almost ridiculous posi-

tion. When I read this part of the First Lord's Motion, the first thing that occurred to my mind were those newspaper reports one so often sees of annual meetings of Agricultural and other Societies, in which, after an account of some trivial proceedings, one is told that the customary votes of thanks were awarded to the Secretary and Directors for their exertions during the year, and to the Chairman for his conduct in the chair. I am anxious always to surround the position of the Judges with an atmosphere of dignity; but the Government are far from doing this by linking them to Associations so commonplace and provincial. Then the First Lord of the Treasury in the third clause of his Motion orders that the Report shall be entered—I presume the right hon. Gentleman means interred—in the Journals of the House. And that is all! No action, it appears, is to be taken on this portentous machinery of investigation, erected in such a peculiar way, amid such heat, and carried on by such an expenditure of money, feeling, time, and labour. Indeed, to put it shortly, the Motion of the First Lord of the Treasury may be summarised in this way. The first clause is nothing, the second is good for nothing, and the third leads to nothing; and nothing *plus* nothing *plus* nothing equal to nothing is one of the simplest and one of the most indisputable propositions known to either mathematics or logic. And yet it is all put into perfectly grammatical English. The verbs agree with the nouns, and the adverbs qualify the verbs, as they have been accustomed to do since the foundation of the world. Would it not have been far better to have courageously and veraciously given expression to the proposition which undoubtedly this empty and meaningless formula conceals, and to have said: "This Report is good for nothing; it contains nothing that can be of any Party service to the Government, not even the smallest splinter of a stick wherewith to beat the tiniest political dog—let us huddle it away out of sight as quickly as possible; let us hide it for evermore." That would have shown a consciousness of defeat, and would have been an expression of failure. Then the First Lord of the Treasury rejects the Amendment, although he does not deny its substance. The right hon. Gentleman thinks that there is some reparation due to the Irish Representatives for the grievous wrongs they have suffered; and he has expressed his own personal gratification that they have been acquitted of the more abominable charges brought against them. But it is contended that the Irish Members have been found guilty of as grave offences as those of which they have been absolved, and that if the House is to record the acquittal in the Amendment, they ought also to record the condemnation. If that argument is good against the Amendment, it is also good against the Motion, as proving that there is a fatal omission in it. If it is the opinion of the Government that the Irish Members have been guilty of crime, why have they not put into their Motion a clause affirming the necessity of prosecuting those Members? It is one of the first duties of the Government to prosecute crime, unless there is some legal obstacle in the way. The presumption is in favour of the prosecution and against condonation. Well, then, is there any such obstacle to prevent the Government from prosecuting in this instance? It is said that the Commission Act bestows an indemnity, and that the Government never intended to prosecute under the Act, or to make the Act an engine of prosecution. But the intention of the Government with respect to any piece of legislation, and the intention of the Legislature, have nothing whatever to do with the interpretation of the Statute. The Special Commission Act does not bestow an absolute but only a limited indemnity. It specially contemplates the prosecution of certain classes of witnesses in certain circumstances, even though those witnesses have been before it. It refuses protection to three classes of witnesses—to perjured witnesses, to witnesses who have not made a full disclosure, and to witnesses who have not possessed themselves of certificates of indemnity; and the Government might, under any one of these three heads, catch these great Parliamentary criminals at this moment. The Tory Press and many hon. Members in this House have maintained that the Commissioners in various particulars have refused to believe the Irish Members upon oath. Why, then, if the Government are so concerned to catch criminals, do they not try in the direction of perjury? In regard to the Land League

books, the Commissioners think they have not had the full disclosure they were entitled to, and I think the Attorney General emphasised very strongly what he called the suppression of evidence. Why on this ground do not the Government prosecute? Again, I believe the Irish Members have not availed themselves of certificates of indemnity, and I presume it is now impossible for them to obtain them, the office of the Judges in the Commission having ceased. The Irish Members are, in fact, entirely at the mercy of the Government at this moment. Why, then, if the Government believe that these Members committed the crimes imputed to them, do they not swoop down on the enemies of God and man and clear society of their baleful presence? I presume the Government are performing their duty; and it is because I see they are doing nothing of the kind, I suggest that I presume they have nothing to do—that there is no indictable or prosecutable crime with which they can deal. But if that be so, I ask them why do they not accept the Amendment? Even if the Irish Members were protected by an indemnity, why could not the Government, if they believe them guilty, expel them from the House? I infer that it can only be because they do not see or feel that they have done anything worthy of expulsion. In that case, I again ask why do they not accept the Amendment? It may be said that they never intended to punish under the Act; but in answer to that I would say by refusing this Amendment what are you doing but punishing the Irish Members? You can punish negatively as well as positively—by refusing rights as well as by inflicting penalties. Why are you punishing the Irish Members? Not for their guilt; it must be for some other reason. What is that reason—assign it if you can, we say if you dare. It may be said that you are going on the principle of amnesty and of letting bygones be bygones. Well, but if that is so that is a rule that should apply all round. If the past is not to stand between the Irish Members and their exemption from punishment neither ought it to stand between them and the reparation which the Amendment offers. View the matter as we may, I imagine it is impossible to reconcile the Government adoption of the Motion with their rejection of the Amendment on any ground of fact, reason, or right feeling. Their arbitrary and perverse attitude signifies that they are disappointed badly, and are taking their defeat badly. In these circumstances, I find myself in a somewhat peculiar and difficult position, a position in which, upon the whole, it seems to me that sorrow has a greater demand upon me than anger, even though that last feeling is not absent. The situation prompts me to do what I can to help the Government out of their difficulty. The position we on this side occupy at the moment is that of bystanders, of spectators at an impressive funeral ceremony. We see a great historical political Party seeking to bury their dead hopes out of sight, carrying their offspring, once the centre of high-formed anticipations, to an untimely and unhonoured grave. In this position is it not suggested to a philanthropic nature that we should not disturb the sad memories of afflicted relatives and friends? I know that hon. Gentlemen opposite may tell me my comparison is misapplied; that my conception of the situation is a mistaken one; that the vehicle I in my mind's eye, see slowly passing along is not a hearse with nodding plumes, but a triumphal car, festively adorned; and that the sounds I hear emitted from time to time from those Benches are fairly well executed imitations of shouts of victory. I respect concealment of grief, and even simulation of that feeling; but these pious frauds, these amiable impostures cannot deceive the keen eye of friendship. Beneath all this outward bravery, and beneath this triumphant chant, I think I can detect the languid step and tone of dejection and disappointment. The martial music, however admirably executed, is written in a minor key; the pæan is, in reality, a fantasia upon the Dead March—the *Io Triumphe* is a dirge in disguise. I ask, how can it possibly be otherwise, if hon. and right hon. Gentlemen opposite are faithful to the facts and history of the case? I think they will not deny that when they invited us to set in motion this Special Commission they expected very different results in the way of Party utility from the stale, flat, and unprofitable conclusion embodied in the proposal of the First Lord of the Treasury. I know it is stated that the Commission was appointed simply for the purpose of ascertaining the truth, and

that now the truth is ascertained they are perfectly satisfied. Hon. and right hon. Gentlemen claim they were moved simply by a scientific interest in Irish history; and now that the historical investigation has been successfully carried to a close, they are in a delightful condition of intellectual satisfaction and mental repose, leaving nothing to be desired. But I happen to remember the circumstances under which the Special Commission was appointed. I remember the shouts of exultation—I might almost say the yells of triumph—that greeted the application of Closure in Committee, and the Third Reading victory; and those demonstrations, I must acknowledge, did not strike me as conspicuous manifestations of the scientific spirit. When the Royal Society appoints a Commission to investigate charges against the specific gravity of aluminium or carbon, or when the Geographical Society depatches a mission to discover the truth about the North Pole; when the Trustees of the British Museum resolves to send an embassy to accomplish a speedier means of getting to the bottom of Argos or Babylon; I am not aware that they forthwith proceed to execute a war dance, wild enough to bring a rubier blush into the scarlet cheek of the most vermilion member of the highest coloured colony of the Red Indians of the West. No; the Special Commission was not the child of scientific curiosity, it derived its birth from a much less sublime ancestry. Right hon. Gentlemen opposite refused a Parliamentary Committee, and insisted upon this form of Commission, because they said we were much too abandoned to Party bias and prejudice ever to do justice to a political opponent. Sir, I accepted that statement, and felt sure they were right as regards themselves, and I have no doubt they attributed the same state of mind to us. But that was an entirely different matter. Hon. and right hon. Gentlemen have a perfect right to confess their own sins; but they have no right to confess my sins for me. We on this side of the House consistently and persistently denied that we were incapacitated from forming an impartial judgment on the matter by reason of the disqualification of Party bias and prejudice which they have a perfect and absolute right to claim for themselves. Now, where this obstacle of Party bias and prejudice exists it exists, not only in regard to one part of the controversy, but throughout the whole; and the natural consequence of such a state of mind is that it blinds its victims to the character of facts having relation to their motives and impulses. We have the admission from the other side. In fact, hon. Gentlemen opposite, or the Party which they represent, while possibly persuading themselves that they wanted this Commission only for historical purposes, were really hoping and striving by its means to bring home to Irish Members and the Irish nation personal and criminal charges of such damning baseness as would ruin the Irish cause for ever in the minds of the people of this country, so that through that ruin they would ruin the great political Party which is on the Opposition side of the House, or at least such part of it as does not stand in the covered space occupied by the wooden horse and its lurking crew. But what have all these high hopes come to? To nothing more than the proposal of the First Lord of the Treasury, upon the futility and inutility of which I have tried appropriately to comment. Was there ever such a *fiasco*? I have read of inventions called infernal machines—combinations of true and honest steel, yet so malignantly arranged as to result in the most dishonest and wicked consequences; but I have also read that they have sometimes wrought destruction, not to their intended victims, but to their fabricators and employers. I can hardly help thinking that in this Special Commission we have seen the true and honest steel of English judiciary, twisted by maleficent ingenuity into a sort of political infernal machine, which has at length gone off, but unfortunately on the wrong side, and has damaged only its authors. The engineer has been hoist with his own petard, and whenever that catastrophe happens, I rather sympathise with the engineer. So long as he is meditating mischief I have no pity for him; but when his poor petard fires backward instead of forward, and he comes tumbling back like a second Vulcan from the crystal battlements above, then my feelings change, and I no longer desire to dance on his mangled form. I approach him with sympathy, "take him up tenderly, lift him with care," carry him to a hospital, and deposit him there, and leaving the oil and twopence with the authorities of the establishment, return

to the ordinary duties of life, with the self-rewarding gloss of benevolence in my bosom, and the fixed resolve to repeat the performance whenever similar circumstances occur. I think the circumstances are recurring, and, therefore, I am sincerely desirous to help the Government in their melancholy plight by trying to persuade them to accept the Amendment. To that end I appeal, not indeed to their sense of generosity, for I am not justified in an unprofitable waste of the time of the House; I appeal to their own self-interest, and their sense of their own advantage, by trying to show them what they stand to lose by adhering to their Motion, and what they are certain to gain by accepting the Amendment. I want to show them how they will look in the eyes, not of quibbling lawyers, but of the great ultimate tribunal, the people of this country, who will take a simple, broad, common-sense view, brushing aside all legal cobwebs and dialectical sophistications. In the first place, by adopting the Report you commit yourself to the important admission that Irish Members are not contemplating separation from the British Empire. With that you give away the strongest point you have been making against us before the people of this country. You incur another loss. You admit that Irish Members are cleared from the more flagrant and abominable charges against them, and with that admission you give away your allegation that the Irish people are incapacitated from self-rule. What are the gains to counterbalance these losses? No doubt you succeed in labelling the action of the Irish leaders with those terrific words "criminal conspiracy," and perhaps you think that will tell with effect among the people. Well, no doubt Mesopotamia is a very blessed word, and capable of much; but by steady contemplation of the word the human mind becomes less and less awe-stricken with the word, which finally ceases to have any effect. And so I venture to predict, will be the result of this criminal conspiracy phrase; and it will be found by the country before a fortnight is over that criminal conspiracy is merely a legal ejaculation; and when they come to learn the facts they will be less impressed by the legal nomenclature. I will not go through all the illustrations I could give; but I ask you to estimate the gains and losses from the course you propose. On the one hand, you will have the character of the Irish Members rehabilitated, their capacity for self-rule admitted, the theory of separation dissipated; and in the other scale you have a few mere specks or controversial smudges, lightly settled and easily removed. If I thought you would accept my advice and this Amendment, I should tremble for the side to which I belong, for I know the advantage it would give you; but, in truth, I know that Party spirit is too strong for you to rise to the height of this occasion, and you will continue your petty spite towards the men so deeply injured. Be it so, but remember a Nemesis awaits you. Your ship is now in mid-ocean, and you think you have clear skies and moderate seas, and a halcyon time that will endure for ever; but even now you may hear a warning stir in the air, a singing in your cordage, the small precursor of a great storm of national disapprobation that will sweep you to your doom, and no memorial will deplore your loss.

(10.20.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Mr. Speaker, I understand that the speech we have just listened to was intended to be delivered on Friday night, and I think it will be regarded as at once the cause and the justification of the "count out" which so inopportunely interfered with the progress of our debate. So far as I was able to gather the purport of the remarks of the hon. Member who has just sat down, he himself was of opinion that his speech was of the character of a funeral oration. I would say, if he will forgive my doing so, that in point of style it was suitable to the occasion on which he thought he was delivering it, and in point of accuracy it was quite worthy of being an epitaph. Hon. Members, however, will pardon me if I at once pass from his somewhat empty rhetoric to the important and extended speech delivered earlier in the evening by the hon. Member for West Belfast. The hon. Member occupied a large part of his speech by dwelling upon the iniquities and hardships inflicted upon politicians by political calumny. I was amazed, therefore, that the hon. Gentleman himself should have finished his speech by an attack upon the Members of the Government, which appears to me to be one of the most unjustifiable examples of political calumny that ever came under my notice. The hon. Gentle-

man shakes his head. I will explain to the House what I mean. He was dilating upon the supposed complicity of the Government with some conspiracy for destroying the character of the Party to which he belongs. In order to support that charge he stated in the House that a letter had been written by Lord Salisbury to the forger Pigott, leaving it to be understood that he meant—if he meant anything—that there was some privity between the Prime Minister of this country and the man who had been recently engaged in fabricating the vile weapons of calumny against the hon. Member for Cork. If there be any force in the insinuation of the hon. Member, that letter must have some relevance, I presume, to Pigott's action; it must be a letter which has some bearing on the charge the hon. Member brought against the Government of complicity with forgery. Why, then, did he not read it? I dare the hon. Gentleman to read that letter?

MR. SEXTON: I think the conspiracy is not one to be effectively or conclusively dealt with in debate. I am prepared to read that and every other letter if a Select Committee be granted.

*MR. A. J. BALFOUR: Now, Sir, we understand the tactics of the man who complains so loudly of calumny. He tells the House, and through the House he tells the country, that Lord Salisbury was in correspondence with Pigott, and he means by that—he can only mean by that—that he has a letter in his possession which affords proof that Lord Salisbury was in the conspiracy with Pigott to produce the forged letters.

MR. SEXTON: I never conveyed anything of the kind. I repeat that I never intended to convey anything of the kind. I am in the memory of the House. The question I put was this—What were the relations between the Prime Minister and Pigott which necessitated the marking of any letter to Pigott "Private"?

*MR. A. J. BALFOUR: Does not the interruption of the hon. Gentleman bear out my assertion? He implies that because there was a letter from the Prime Minister marked "Private," therefore that letter proves that the Prime Minister was implicated with the man Pigott in this foul conspiracy. If he did not mean that he meant nothing; and I say that a more calumnious insinuation was never made in this House, and it comes ill from the man half of whose speech was devoted to denouncing political calumny by others. I have the authority of the Prime Minister to say that the hon. Gentleman may read that letter or publish that letter, be it private or not private, in any newspaper in the Kingdom. So much for the hon. Member's methods when he is attacking the Prime Minister. Now consider his methods when he is attacking Major Le Caron. He reads a letter from a man Powderley, enclosing a copy, as I understand, of a letter of a very criminal character from Le Caron to Powderley, dated at the beginning of last year.

MR. SEXTON: The letter from Le Caron to Powderley was dated 1886.

*MR. A. J. BALFOUR: That letter was read to the House with the view of discrediting the testimony of the witness Le Caron. Why did the hon. Gentleman read that letter to the House when it could not be made the subject of investigation or cross-examination? Why did he not bring it before the Judges—it was written in ample time—in order that Le Caron's evidence if false might be blasted by this reference to Le Caron's previous action?

MR. SEXTON: I explained to the House that this letter and all others read were not addressed to me, but were given to me for the purpose of debate in the last few days.

*MR. A. J. BALFOUR: I do not know, and I have, of course, no right to ask, who gave the letter to the hon. Gentleman, but the letters were written in ample time for production. And, Mr. Speaker, to come down to this debate and for the first time to bring before us materials which may be true, which may be untrue, which may be worthy of credit or not worthy of credit—[An hon. MEMBER: Which may be forged]—yes, and which may be forged—and to bring that before us to-night and in circumstances in which we have no power of investigation or of cross-examination at all, when it might have been produced and verified before a judicial tribunal, is to give another example of the character of the methods which hon. Gentlemen employ when they are endeavouring to meet the grave charges preferred against them. After attacking Le Caron the hon. Member proceeds to attack the Govern-

ment, and he tells us that a man named Thompson, an agent of the *Times*, had gone to the convict Mullett and, I think, to Nally, and had promised them liberty if they would give evidence in favour of the *Times*. Now, Sir, I say distinctly that Thompson acted for the *Times* and the *Times* alone. If I am asked my private opinion I do not think it probable that he made the promise in question. But whether he made this promise or not, he had no more authority, direct or indirect, from any Member of the Government, to treat with these convicts than has the hon. Gentleman himself. Then the hon. Gentleman went on to another story which he had got hold of about Dr. Carte and the convict Delaney, and he read a letter which appeared in the *Freeman's Journal* in which Delaney implied that certain promises in regard to his liberty had been made to him by the Government in consequence of the services he had rendered as witness and informer. I believe that the hon. Gentleman read that letter in good faith; but the letter was a stolen letter, and the reference made by Delaney to the alleged promises—for they were only alleged—with regard to his release related to the time of Lord Spencer's Government, and had nothing whatever to do with the present Government. How did the hon. Gentleman get possession of that letter?

MR. SEXTON: The letter which I read was written by Delaney eight months after he had given evidence before the Commission.

*MR. A. J. BALFOUR: As soon as that letter appeared in the *Freeman's Journal*, official reference was made to Dr. Carte, and Dr. Carte informed the Prisons Board, first, that the letter had been stolen from among his private papers; and, secondly, that the reference to the liberation of Delaney related to the time when Lord Spencer was Viceroy, and had no reference whatever to the *Times'* case; and in this connection the House will recollect that Delaney had given important evidence with regard to the Phœnix Park murders at the beginning of 1883. The hon. Gentleman went on to describe the interview between Mr. Shannon, who I understand was another of the *Times'* agents, and the same convict Delaney, and here I cannot admit that the hon. Gentleman has taken pains to make himself acquainted with the facts. He gave a story to this House with regard to the allegation that Shannon represented himself as being an official of the Government, upon which Mr. Shannon was cross-examined at the Molloy trial, and which was absolutely exploded under cross-examination, and that story, without the slightest reference to the trial of Molloy, the hon. Gentleman gave to us as an authentic example of the iniquities of the *Times'* agent, and, by some sort of imaginary connection, of the iniquities of the Government also. I am bound to say I differ altogether from the view which the hon. Gentleman has chosen to give us of the way in which witnesses were obtained in the *Times'* case. But accusers and accused were bound, in my opinion, to bring forward every available witness who could elucidate the case. But whereas the *Times* did so, the hon. Gentleman and his friends appear to have occupied themselves principally in withdrawing from the Commissioners every source of authentic information. Ninety-six persons were implicated by the evidence of informers before the Commission; they were implicated by name, and their addresses were given; they were then alive and in the country; and not a single one came forward to contradict in any particular whatever the evidence given against them. No, I believe I am wrong; four were called, and of these two broke down absolutely under cross-examination. Sir, we take the view that it was the duty of every citizen to aid to the best of his ability the inquiry before this Commission. I, for my own part, would have been ashamed of myself if I had not done everything to aid that inquiry. Witnesses who came forward for the *Times*, or who might have come forward for the *Times*, were intimidated or restrained by the fear that true testimony might have been followed by assassination. The 96 persons implicated by these witnesses had nothing to fear from coming forward, except that the truth should be known; and the fact that the truth might become known was, it appears, quite enough to deter them. The hon. Gentleman has told the House that we, the Government, owe an apology to the hon. Member for Cork and others for what has been done. I do not see what the Government have to do with the matter at all. We brought for-

ward no charge; we did nothing but provide the machinery by which false charges might be, and have been, refuted, and true charges might be, and have been, established. But, Sir, the hon. Member for Cork did not even ask an apology from his true calumniators, the *Times*. I am informed—I do not know anything about these matters myself—that it is almost unexampled in trials for libel for the plaintiff to accept damages, as the hon. Member for Cork has accepted damages, and not at the same time to require an apology and a retractation. The hon. Member for Cork was content to accept damages; he was content to do without an apology and retractation. Now, Sir, I have felt throughout these debates that the true issue before the House has been greatly disguised, partly by the fact that six learned gentlemen who were engaged in the case have entered upon a quarrel at great length on the manner in which the case has been conducted. We have nothing to do with that. It has also been disguised by the fact that we have been asked to make some pronouncement on the character of Mr. Houston. We have nothing to do with that. It was, perhaps, natural—though I think this again is disguising the true issue before the House—it was, perhaps, natural, and I am far from complaining of it, that hon. Gentlemen should make the most here as in the country of the fact that the hon. Member for Cork was attacked by the foul weapon of forged letters, and the infamy of the means used, which I should be the last to disguise or palliate, naturally has produced a reaction in favour of the hon. Member for Cork. I differ altogether from the hon. Member for West Belfast in the opinion that he expressed, that we have gained political advantage from these letters during the last three years. I do not think so. He stated most untruly, though, I believe, in good faith that Conservative Members of this House had made it the chief count in their indictment against the hon. Member for Cork that those letters were written by him. Find the speeches. Not one speech has been quoted in the whole course of this debate from any Member of Parliament, or from any Conservative or Liberal Unionist that I know of of position in the country, in which those letters were used as a means of injuring a political opponent. The only reference I have made to it, so far as I know, was in a speech which I made at Ipswich.

SIR W. HARCOURT: I will quote your speeches.

*MR. A. J. BALFOUR: Well, you may quote my speeches. I have not, like the right hon. Gentleman, to go through the painful operation of reviewing my previous speeches before I address this House, nor do I tremble before quotations that may be extracted from any of them. But I go from that personal parenthesis. While I admit, Mr. Speaker, that hon. Gentlemen opposite have a perfect right to make full use, and more than full use, of any advantage they can gain—and the advantage is great—by the exposure of these infamous forgeries, I do not think that is sufficient to cover the whole case which the House has to consider, or anything like sufficient. Hon. Gentlemen have got into the habit of thinking that the whole blame of the gross calumnies passed with regard to the Phœnix Park murders rests upon the *Times* and upon those who advised the *Times*. I say some share of that responsibility, and no small share, rests upon the hon. Member for Cork and the friends of the hon. Member. A lamentable error occurred, no doubt, but it is a mistake to suppose that that error depended entirely, or even principally, upon the forged letters. That would appear to be the opinion of the right hon. Gentleman who moved the Amendment which we are now discussing. It appears to be also the opinion of my hon. Friend behind me, who has to move the Amendment which we are to discuss to-morrow. I can find no justification for that opinion, either in the Report of the Commission or in the evidence on which that Report was based. I say these letters never could have been believed, even by the culpable credulity of the *Times*, if it had not been for the culpable carelessness, and worse than culpable carelessness, of the hon. Member for Cork and the friends of the hon. Member for Cork. Just consider the evidence. The House will recollect the protest issued by the hon. Member for Cork immediately after the Phœnix Park assassinations. One phrase I will quote to the House:—

"We appeal to you, the people of Ireland, to show by every manner of expression the almost universal feeling of horror which this assassination has excited."

Was every means in their power used, even by the friends of the hon. Member for Cork, to show the horror with which that assassination was regarded? ["Yes."] It was not. ["Yes."] It was not. The *Irishman* newspaper and *United Ireland*—you do not repudiate *United Ireland*—through inadvertence, or otherwise, inserted articles or letters which held up the Phœnix Park murderers to the admiration of Irishmen as courageous and disinterested patriots. I recollect it was suggested that Byrne, the secretary of the English branch of the Land League, and who was supposed to be implicated in these assassinations, should be brought back from America, whither he had fled, either to disprove the accusations made against him, or at least to relieve the Land League of the suspicion which his action had brought upon them. This proposal *United Ireland* thought fit to ridicule. Again, I recollect reading *Notes in Court*, which appeared in *United Ireland* at the time these murderers were being tried. I will read one sentence, which is as follows. The date is April 21, 1882; the man being tried was Curley, the assassin:—

"It is not the life of a man, but the life of a nation which is concerned in the trial in Green Street."

"It does not signify a miserable tussle with an individual (that is, the assassin Curley). It means a wrestle between the Crown of Great Britain and the people of Ireland. An ordinary murderer is never cheered in the streets, nor is his escort hissed in this country."

That was in the official journal of the hon. Member for Cork. Again, it was suggested, and I think the suggestion a good one, that a reward should be offered from the Land League funds to discover the murderers of Lord Frederick Cavendish and Mr. Burke. That offer was publicly repudiated by the treasurer of the Land League, to whose honour and patriotism the Member for Cork has recently paid a singular tribute. The *Irish World* started a fund called "The Martyrs Fund"—the *Irish World* from which hon. Gentlemen derive so much pecuniary assistance. The fund was to be used exclusively for the members of the families of those who were hanged for the Phœnix Park murders, with the significant exception of the murderers who happened to plead guilty. I find among the subscribers to the fund Mr. Egan, ex-treasurer to the Land League, who subscribed 50 dollars. I find also that the payments out of this fund to the families of the murderers was witnessed by a gentleman of the name of Quinn, who was at that time paid secretary to the League, and is at this time the paid secretary of the National League. It is asserted, and I believe not denied, that the knives with which the murders were committed lay for some not inconsiderable time at the office of the English Land League, not 200 yards from these doors. [No.] Yes. See the evidence, p. 306, vol. 4. [Mr. T. M. HEALY: Whose evidence?] It was the evidence chiefly of a clerk engaged in the office. I have given the hon. Gentleman the reference. Brennan fled as soon as the revelations came out about the Phœnix Park murders.

MR. T. M. HEALY: I rise to order, Sir. Ought not the right hon. Gentleman, if he is reading from the evidence given before the Commission, to quote the page?

*MR. A. J. BALFOUR: If the hon. Gentleman denies that Brennan fled he can correct me afterwards.

MR. T. M. HEALY: I rise to a point of order. I wish to ask you, Mr. Speaker, whether this debate is not founded upon the Report and evidence given by the Special Commission, and whether the right hon. Gentleman, therefore, must not confine himself in this debate to the evidence upon which that Report was founded, and to the conclusions in that Report which we are now discussing?

*MR. SPEAKER: Several statements have been made in this debate which have not been founded upon the Report; and if any hon. Member makes a statement, of course, he will be responsible for it.

*MR. A. J. BALFOUR: I say, Sir, that Brennan fled, and I do not believe that is seriously denied. I say that Egan fled under police suspicion. Byrne and Sheridan fled, and Walsh also fled, and against these three a true bill for complicity in the Phœnix Park murders was found by the Grand Jury. Who were these five persons? Brennan was secretary to the Irish Land League; Egan was treasurer; Byrne was secretary to the English Land League; Sheridan and Walsh were paid organisers of the Irish Land League. Every one of these five men was a high officer of the League. And, I say, if you take these things into consideration—if you take the articles in

the *Irishman* and *United Ireland*, if you take the Martyrs' Fund, if you take the action of Quinn in witnessing the distribution of the Irish Fund, and if you take the fact that all these five men fled from justice and have never returned to meet the accusations made against them, you have conclusive and overwhelming proof that if the *Times* was guilty of culpable credulity in accepting the forged letters of Pigott, the Member for Cork and the friends of the Member for Cork were not less guilty of culpable carelessness in engaging these men to carry on the work of the League in the first instance, and after they had fled, in allowing newspapers, which they managed and controlled, to give every man who studied their columns the impression that the leaders responsible for those newspapers were not so indignant about the Phœnix Park murders as I fervently and fully believe hon. Gentlemen opposite have always been. Now, on the subject of calumny it is well to have a standard. It is an odious and vile offence to spread calumnies on the character of your political opponents for the purpose of reaping political advantage. I regret to say, Mr. Speaker, that it has been an habitual practice of the Party opposite. But in order that we may estimate, as we are asked to estimate by the right hon. Gentleman the Member for Mid Lothian, the exact injury inflicted by this particular calumny, let me take as a standard of comparison a specimen of calumny which will be found at page 92 of the Report. There it will be seen that the hon. Member for Cork City thought fit to go down in 1885 to Mayo and to make a speech, and he chose for the theme of his eulogies a man named Nally, who had been in prison and is still in prison for conspiracy to murder. The hon. Member for Cork said—

"I wish to say of Mr. Nally that he is a man who has performed great and important services to the cause of the Land League."

This, recollect, is a man in prison for conspiracy to murder.

"I believe of Mr. Nally that he is one of the victims of the infamous system which existed in this country during the three years of the Coercion Act."

the Act of the right hon. Member for Mid Lothian, be it observed—

"I believe of Patrick Nally that he is a victim of the conspiracy which was formed between Lord Spencer and the informers of their country for the purpose of obtaining victims to what they call law and justice by any and by every means, whether innocent or not."

Now, here we have two calumnies which we can compare. The author—no, not the author, but the publisher, of the first calumny was an irresponsible and anonymous journalist speaking for nobody but himself. The author of the second calumny was the leader of a Party, who spoke as a Party leader with the responsibility which cannot be divorced from the position of a Party leader. So much for the authors of the libels. Of the character of the libels I can only say that, in my opinion, to accuse a man of political assassination, or of anything in the nature of political assassination, grave as it is, is insignificant as compared with the charge of deliberately practising judicial murder. So much for the relative gravity of the charges. But there is another circumstance that has to be borne in mind. The *Times*, as is admitted, did not know that the libel it uttered was an untrue libel, but the Commissioners assert that when the hon. Member for Cork uttered his libel on Lord Spencer he did know it to be untrue. Now, what about the victims of these two libels? The victim of the libel of the hon. Member for Cork was Lord Spencer. It will not be denied, I think, even by those who differ most from Lord Spencer, and who are most astonished at the doctrine which he now proclaims upon the Irish Question—it will not be denied that he is a man of unstained honour, against whom no man would believe a disgraceful charge, be the evidence in support of that charge what it might. But the right hon. Gentleman the Member for Mid Lothian compels us to recollect, and compels us unwillingly to remind the House, that the hon. Member for Cork was present when a Colleague of his discussed the advantages that would accrue to Ireland from another political assassination like Hartmann's, and that the hon. Member remained silent. The right hon. Gentleman compels us to recollect and to remind the House of the "Bread and Lead" speech—a speech of which the hon. Member for Cork gave an explanation to the Commissioners which the Commissioners absolutely declined to believe, a speech by which they say he intended to signify that he had behind him the support of those who were prepared to use lead in order to

carry out their political objects; he compels us to recollect, and to remind the House, that the hon. Member for Cork employed to put down outrages the man Boyton, knowing the kind of speeches that Boyton had made. The chief specimen of Boyton's speeches given by the Commission being one in which Boyton recommended assassination. The right hon. Gentleman compels us to recollect and to remind the House that in all those years of crime and outrage, between 1879 and 1885, the only authentic and adequate denunciation of crime which can be credited to the hon. Member for Cork is the denunciation of the Phœnix Park murder, and that with regard to agrarian crime in Ireland, and dynamite crime in America, no denunciation or no adequate denunciation could be discovered by the hon. Member himself during the whole course of the Commission. I am not one of those who think that amongst the political crimes that have stained the annals of Ireland in the last 12 years the crime of the Phœnix Park stands out as specially horrible and atrocious. Our moral sense in this matter is the slave of our torpid imagination. It is easy to grasp the horror of the assassination of the stainless gentlemen whom we all knew.

MR. T. M. HEALY: Who says so?

*MR. A. J. BALFOUR: I say so. It is not so easy for us to follow the slow course of torture ending in a horrible death which has attended so many victims of the Land League conspiracy in Ireland. If I knew that I was to perish by assassination to-morrow I would not admit that such a crime would equal in atrocity and horror the crimes which have been perpetrated on these defenceless men and women in Clare and Kerry. What happens? Some "leader of the people," some leader of public opinion in Ireland goes down to a remote district in Clare and Kerry, and he appeals to the manhood of the district to "get rid of a land-grabber who is in their midst." And he goes away rejoicing. Perhaps he becomes a Member of Parliament and lives upon the subscriptions of dynamiters in America. The manhood of the district to whom he has appealed black their faces, arm themselves with guns, stolen from some defenceless farmer; they go, a dozen of them together, and they get hold of some unhappy old man, whom they put on his knees, and whom they shoot in the presence of his wife or family. Crimes like that, which the Commission deliberately find are the result of a system which hon. Members opposite followed with full knowledge of its results, stir my indignation far more profoundly even than the ghastly and horrible crime of political assassination. I, of course, admit that incitement to crime may be accidental. It may happen to anybody in a revolutionary epoch, and we are told that this is a revolutionary epoch, though I may parenthetically remark that I do not find that the Government are allowed to use that defence for their methods of dealing with the revolution. I admit that a man may make a speech at such a time which would incite to crime through no fault of his own. But when he found that crime ensued, what would an honourable man do? He would do three things. He would refrain from making such speeches in the future; he would denounce crime to the utmost of his ability; and he would do his utmost to detect the crime which had already taken place. Each of these three things is dictated by the elementary principles of morality. Of these three things not a single one has ever been done by any Member opposite. There is no evidence that they have seriously denounced crime. There is no evidence that they refrained from proceedings which they knew produced crime; and there is no evidence that they have moved a single finger to detect crime. The only knowledge of their conduct in relation to particular crimes which we possess is that they defended criminals and that they compensated criminals; and out of this vast, unaccounted for money at their disposal they have not been able to show that one single sixpence was in all these 10 years devoted to the offering of a reward for the detection of crime or for the punishment of criminals. Hon. Gentlemen attempt to deal with these charges piecemeal; I think their attempt is not a success. The only way to consider them is to take them collectively and in mutual relation, to see how one part bears upon another, and how one confirms another. You have in the first place a total absence of denunciation of crime. In the second place, you have the wilful persistence in the course which produced crime; in the third

place, you have enormous funds never used to detect crime, but, as far as we know, rather to defend and to compensate criminals. You have, as a result of this system, a condition of agrarian crime, which has never been equalled in Ireland. On the top of that condition of things, and knowing that that condition of things existed, you have the same people issuing out of their funds, sometimes at a loss, papers which still further excited the popular imagination, and still further incited to crime. On the top of that, as if that were not enough, you have the same people continuing their agitation by the help of funds which they derived from the preachers of assassination in America. I am told by speaker after speaker that, after all, it does not matter where you get your money from so long as you spend it well, and that no personal dishonour is associated with accepting funds, come they from whatever source they may. I will not discuss that doctrine — a questionable, and dangerous doctrine. It is not necessary to discuss it, because that is not what the Commission find with regard to hon. Gentlemen opposite. What they find is not merely that they received funds from the preachers of assassination, but that their silence about assassination was bought by the receipt of the funds. Their silence was a purchased silence. They did not merely receive funds from the Clan-na-Gael, but they were silent about its method in order that they might receive its funds. If you take all these circumstances together, and if you consider their cumulative effect, you may talk of charges which bring with them personal dishonour and charges which do not. But if contact with crime can ever bring personal dishonour, then I say that the conduct of the leaders of the Party which did the things found by the Commission to have been done, brings as great personal dishonour as political crime can ever bring. Sir, if the excuses which, unhappily, hon. Gentlemen opposite have found it necessary to give for the criminal conspiracy which we are considering do violence to morality, not less do their explanations of what has happened in Ireland during the last 10 years do violence to history. We have a variety of theories on this subject. There is the theory of the hon. and learned Gentleman opposite, who thinks that everything is accounted for by distress; that the distress in the winters of 1879-1882 is really responsible for crime. I will not discuss that at length, but I will remind the House of what I stated before, that even in Ireland the effect cannot precede its cause, and that the cause of all this agitation preceded the distress by at least six or eight months. Sir, we have before us even a more extraordinary theory, which I think we owe to the inventive ingenuity of the right hon. Gentleman the Member for Mid Lothian. His view in 1890 is that all the hon. Gentlemen below the Gangway were during the years 1879-1880-1881 philanthropists in disguise. The right hon. Gentleman shakes his head. But at all events I think he will agree with me, and the House will agree with me, that the general impression he desired to give in his great speech on Monday last was that crime was put down by hon. Gentlemen opposite, and that if it had not been for their beneficent interference on behalf of the tenants crime would have been greater than it was. It is, however, unfortunate, that the right hon. Gentleman did his best to put these philanthropists into prison, first with trial, and when that failed without trial. During the whole of these years he not only never suggested that they had anything to do with the diminution of crime, but distinctly and categorically repudiated the theory that either distress or eviction had anything to do with the increase of crime. I see the right hon. Gentleman shakes his head. The right hon. Gentleman's opinion nine years ago was exactly that of the Commissioners. I do not wish to trouble the House with quotations. But what could more explicitly bear this out than the following. In 1881 the right hon. Gentleman said—

> "Hon. Gentlemen would have us suppose sometimes that this crime was owing to distress in Ireland. Sometimes it is owing to evictions in Ireland. It is evident by the testimony afforded by facts that it is owing neither to the one nor to the other."

Well, Sir, we then have the theory of the hon. and learned Member for Fife with regard to the Clan-na-Gael. The hon. Member made an able speech. I am a great admirer of the hon. Member's speeches. But he lacks discretion. I think there is a limit beyond which paradox is imprudent, even in the House of Commons. The hon. and learned

Member told us that the Clan-na-Gael was a Benefit Society. But on what did he found his view that the Clan-na-Gael was a Benefit Society? Why, on the fact that the circulars of the Clan-na-Gael were couched in extremely turgid language. Now, that appears to me—I speak as a layman to a lawyer—extremely bad evidence. And the hon. Gentleman, of all Members in this House, has least to gain by the theory that excellence of intention is always in reverse proportion to excellence in style. The theories with which we have been favoured by hon. Gentlemen opposite on this subject, are beautifully inconsistent. The first theory was that of the hon. and learned Member for Hackney, who went into the Commission with a view of proving that his clients were innocent. [Sir C. RUSSELL: Except of boycotting. That theory seems rather to break down.] The next theory was that although it is true these crimes were committed, yet they had, always been known, and we need not bother about them. The third was that though hon. Members were very wicked until 1882, they had been quite innocent afterwards. The fourth is that, though they were not quite innocent after 1882, they were quite innocent after 1885. Which of these theories are we to accept? They are inconsistent with every known fact of history. They are inconsistent with the quotation I have made from the right hon. Gentleman. They are inconsistent with the rhetoric with which we were favoured by the right hon. Member for Derby in 1881, and they are absolutely inconsistent with the accumulated mass of evidence brought before the Commission. They are inconsistent with the words, deeds, and writings of hon. Members below the Gangway; and, most of all, they are inconsistent with the silences of hon. Gentlemen. But, Sir, I think I must say one word more with regard to one of the theories to which I have just alluded—the theory that all the wicked things were done before 1885, and nothing but good has been done since then. Up to 1885 or 1886 the Commission examined the facts, and for some reason, which I do not quite understand, they were stopped by the advocates for the respondents from carrying their investigation. Any theory whatever which supposes that there has been any break in the Irish system from 1879 to the present moment is condemned by the barest study of contemporary facts in Ireland. The hon. and learned Member for Fife appeared to be of opinion that Lord Spencer's Crimes Act was directed against what are called murder conspiracies. It was not directed against murder conspiracies. What Lord Spencer had in view was intimidation, was boycotting—was the intimidation which invariably existed when evicted farms were taken. If anybody doubts that—and if the hon. and learned Member for Fife doubts it—and will take the trouble to look at *Hansard*, vol. 302, p. 70, he will find a most instructive speech of Lord Spencer's delivered in January, 1886. Lord Spencer was then attacking the Conservative Government, as he had a perfect right to do, for not having renewed the Coercion Act, and what he said was this—

> "What my Government attempted to do was this—we endeavoured to proclaim the law throughout Ireland, to bring to justice all those who committed offences, whether of intimidation or otherwise, against the law, whether they were members of the National League or not. My belief is that we did check to a great extent the influence of the National League, and that we did keep intimidation in check, though I admit its existence caused anxiety. For that reason I strongly advocated the re-enactment of powers to keep it in check. If the clauses against intimidation were allowed to drop, I feel that the powers of the National League and of intimidation would increase to an enormous extent, and that the liberty of Her Majesty's subjects in Ireland would be destroyed."

That was Lord Spencer's opinion in 1886, just before the Home Rule Bill was brought in. Now, does the right hon. Gentleman really suppose that the introduction of the Home Rule Bill made any difference? I admit it did make this difference, that hon. Gentlemen below the Gangway opposite had to consider their English audiences rather more than they did before, and that when a more than usually atrocious speech was made in Ireland the Nationalist Press was wise enough to leave out the report of the incriminating passage; but in spite of the caution which undoubtedly became politically necessary after the alliance between the two Parties opposite, nevertheless speeches were made and acts were done which conclusively proved that the system of 1879-80-81-82 were continued in 1886-87-88-89. Consider, for example, a speech

made on August 23rd, 1887, by the hon. Member for East Mayo, given in the *Freeman's Journal* of the following day :—

"They say we have practised an insidious form of intimidation. I want to say plainly that as far as I can I intend to practise the same form of intimidation in spite of all proclamations or persecutions they can enforce. If the operation of the National League in the past can correctly be described by intimidation, then I say I intend to practise and preach it. And let me say that if there be a man in Ireland base enough to back down, to turn his back on the fight now that coercion is past, I pledge myself in the face of this meeting that I will denounce him from public platforms by name, and I will pledge myself to the Government that, let that man be whom he may, his life will not be a happy one either in Ireland or across the seas."

I say that quotation conclusively proves, from the mouth of a man of authority in the Party opposite, that the system is continuous, that he was going still to pursue the same methods which had prevailed since 1879, and that he was going to denounce from the public platform by name anybody whom he regarded as a traitor, knowing full well the fate meted out to traitors by some at all events of the allies of the Party to which he belongs. So much for boycotting. How about treason? The right hon. Gentleman the Member for Mid Lothian told us that separation was dead, and the whole of his speech was based on the theory that though possibly things we might all object to may have occurred between 1879 and 1882, yet that everything had been peace since the Kilmainham Treaty, and that now, among other things, the idea of separation was absolutely dead. Sir, it is not dead. In order that hon. Gentlemen may know exactly how the matter stands, let me refresh their memory by a speech made just before the Home Rule Bill by the hon. Member for Cork. It is the well-known speech made at Castlebar—

"'Speaking for myself,' said the hon. Member for Cork, 'and I believe for the Irish people, and for all my Colleagues, I have to declare that we will never accept, either expressly or implied, anything but the full and complete right to arrange our own affairs, and make our land a nation; to secure for her, free from outside control, the right to direct her own course among the peoples of the world."

The pledge, then, which the hon. Member for Cork made in the face of the Irish nation, and in the face of Heaven, was by the testimony of the right hon. Member for Mid Lothian broken in exactly six weeks. In exactly six weeks from the date when that solemn pledge was given to the world, the Member for Cork announced that he would be content to accept an alteration of the Constitution which would not have given Ireland the full and complete right to arrange her own affairs, which would not have made her land a nation, would not have secured her free from outside control, the right to direct her own course among the nations of the world. I do not know whether the right hon. Gentleman is right about the views of the hon. Member for Cork. The Member for Cork, we have been told to-night by one of his own Colleagues, is perfectly capable of writing a letter of the most explicit kind, not one word of which can be accepted by the public, and that being so I cannot——

MR. SEXTON: I must altogether dissent from the right hon. Gentleman's representation of my reference to my hon. Friend. I referred to quite another matter.

*MR. A. J. BALFOUR: I do not pursue that at this moment; we shall probably have to discuss it later. I want now to say that that announcement of policy, which the hon. Member for Cork abandoned two months after he made it, has nevertheless been re-asserted by his followers since. There was a speech made by the hon. Member for the South Division of Dublin (reported in the *Irish World*) at Chicago in 1888, in which he said—

"Allegiance (to England) would continue only so long as it was impossible to throw it off."

Similarly, in a speech made at Castleblayney in 1886, after the Home Rule Bill had been introduced, the hon. Member for North Fermanagh (Mr. W. Redmond) pointed out that they had not been working merely against landlordism, and added—

"If to-morrow every landlord was out of the country, we shall still have to work in order to realise the dream of Irish martyrs in the past to make Ireland a nation with her own flag among the nations of the earth."

The right hon. Gentleman says that the idea of separation is dead. I say it is not, and I say that the speeches of hon. Members opposite prove that it is not. Besides, it ought to be borne in mind that hon. Members get their money from the Clan-na-Gael, which is not only the advocate of crime but the advocate of separation. If the Clan send their money

to the Irish National League, they send it because they think the Irish National League are carrying out their work. Hon. Members are on the horns of this dilemma. As recipients of this money from the Clan-na-Gael they are bound to carry out the views of those who subscribe it. As followers of the Member for Mid Lothian they are bound not to carry them out. They must either be betraying their paymasters or betraying their allies. There is only one other point on which I desire to touch. The most plausible excuse, in my opinion, which has been given for the atrocities—I can use no less a word—revealed in this Report is the excuse that no revolutionary movement is altogether free from crime. The fact is undoubted. I do not deny it. The chequered History of Revolution in Europe during the last 300 years has doubtless been stained by many episodes of treachery and many episodes of blood. Yet who would say that the History of Revolution, however disastrous, has been in the main ignoble? Ireland herself has shown that she can engage in revolution, and can show heroic resolve to do heroic deeds in however mistaken a cause, still in a manner which may well win the admiration of those who study her history. But every revolution of which I know has appealed, whatever its methods, to the nobler instincts of men. Is that true of the revolution that is said to have recently taken place? I say that everything in that revolution which has not been sordid has been criminal, and everything not criminal has been sordid. I am not attacking the motives of hon. Gentlemen opposite. I am attacking the methods that have been employed, and their unforgivable offence has been their attempt—however disinterested the majority of them may have been—to found their power upon the corruption of society. The Irish people, with all their great qualities, have, through their unhappy history, inherited many weaknesses, and on these weaknesses hon. Members opposite have invariably fastened. It is, for instance, notorious how difficult it is to get an Irish tenant to give evidence in a case of agrarian outrage. No effort has been made by any single hon. Gentleman opposite to diminish this unhappy peculiarity, which, even if Home Rule were granted to-morrow, would continue to be one of the great difficulties in Ireland. Hon. Members found the land system of Ireland imperfect—imperfect, not because of excessive rents, but imperfect because many of the landlords were absentees, and because many of the tenants lived on land which, by no possibility, could support them in comfort, and because there was an absence of a class intermediate between the occupying farmer and the landlord which might hold the balance between the two. Finding that state of things, they aggravated that state of things for their own political objects, and, in my opinion, generations must elapse before the spirit of immorality which they have sedulously inculcated can be eradicated. The right hon. Gentleman the Member for Mid Lothian is never weary of denouncing the Union. He has succeeded in finding for that unhappy Act a catalogue of the severest adjectives in the English language.

MR. W. E. GLADSTONE: For the means by which it was carried.

*MR. A. J. BALFOUR: I do not pledge myself to your history. But what is the allegation? That the owners of Irish Parliamentary power in that day were corrupted. But what is the prostitution of a few borough-mongers to the prostitution of a whole nation? Hon. Gentlemen opposite, by the course they have pursued, have not corrupted a few individuals, but they have corrupted a nation. The motive to which they have appealed has been the motive of greed. The methods they have employed have been intimidation and fraud. Their soldiers have been boycotters and moonlighters, and their paymasters the preachers of dynamite and assassination. Ireland has many dark pages in her history, but in my judgment there is no darker page than that which tells how three-fourths of her population were led astray by Mr. Davitt and the hon. Member for Cork. And surely no darker page has ever opened in the history of England than that which shows us a great historic English Party in the keeping of gentlemen who compel them to swallow not merely their politics, but, what is far worse, their morals. Unless those bonds be loosened, unless a divorce is effected between this ill-matched pair, I see but a dark prospect for England, and a still darker prospect for the future of the country whose destiny has been so largely influenced by the respondents in this great investigation.

(11.50.) SIR WILLIAM HARCOURT (Derby): There have been grave charges brought to-night by an hon. Member for Ireland, one of the leading representatives of the Irish people, against the Government of the Queen. We have heard the answer to that charge attempted to be given by the Chief Secretary for Ireland, and if the right hon. Gentleman thinks that that violent and vapouring speech will be regarded by the people of this country as a satisfactory answer he is greatly mistaken. You have taught the people of this country and the Members of this House that a denial made by a Member in his place of charges of the gravest kind is not to be accepted, and I see no reason why your denial should be considered as of any worth. The Members for Ireland have a perfect right to say to you, and they probably will say to you, "You deny these things in the House of Commons, but we do not accept your denial; we think your statements are worthless; go and defend yourselves before a Court of Justice, or before a Commission of Judges." The answer given by the right hon. Gentleman to these charges which have been made seems to me to be wholly unsatisfactory. The right hon. Gentleman complains that the letter from Le Caron that has been read to-night, which, if it be true, shows that Le Caron is a criminal of the deepest dye, was not subject to cross-examination. Was the forged letter published on the morning of the Second Reading of the Crimes Bill, subject to cross-examination on the day when it was published to influence the decision of this House? The right hon. Gentleman has referred to the case of Thompson, but how did Thompson get into the gaol? I know that he could not have got into it without the will and the wish of the Government. These are matters that will have to be inquired into. Then the right hon. Gentleman says that he never had anything to do with the allegations in the forged letters, that he never made use of them, and that they were not weapons for which he was responsible—in fact, that he had never alluded to them. Well, we are accustomed to the audacity of the statements of the right hon. Gentleman—an audacity which is only equalled by their persistent inaccuracy. The forged letter was published on the 18th of April, on the day of the Second Reading of the Bill. It was stated in the leading article which was published to influence the decision, that the Chief Secretary for Ireland, rising at the close of the debate, took that letter and made it the main argument in his speech in favour of the Bill. What, then, is to be thought of the statement which the right hon. Gentleman makes in the presence of the House of Commons, and how does he suppose that we are to place any faith in the accuracy of his statements? How long was it before that that the right hon. Gentleman knew that this weapon was going to be forged ready for his hand. I do not know; but the moment he found it ready he used it with deadly effect against his political adversaries. The right hon. Gentleman said that he must, in reply to the hon. Member for West Belfast, tell him that the subject which had been touched by the hon. and gallant Member for North Armagh—that was the forged letter—was entirely relevant to the subject-matter of the Bill; because it dealt with the leaders who had had the management of the Land League and of the National League, and the character of those leaders could not be a matter of indifference when they were discussing the character of this Organisation, which they believed to be in no small degree responsible for the then existing state of things in Ireland. Then the right hon. Gentleman has the audacity to state in the presence of the House that he never made use of the weapon. Did he not mean that the letter was deserving of credit? ["No."] Then why did he say that it was relevant to the subject-matter of the Bill? When the First Lord of the Treasury opened this debate he said that the Government were impartial parties in this matter—that the House was incompetent to discuss these contentious matters, that we had got the Report of the Judges upon those matters, and that we must adopt that Report. But the speech of the Chief Secretary for Ireland has been a mere repetition of those calumnies and those insults in an aggravated form. The right hon. Gentleman told hon. Members across the House that they had been guilty of crimes inconsistent with their personal honour; and he has repeated, not only the charges that have been found proved by the Judges, but has insinuated and even stated that they are guilty of the charges which have been found to have been disproved.

*MR. A. J. BALFOUR: What charges?

SIR W. HARCOURT: You quoted Boyton's speech, which you say instigated to murder, when it was found that Mr. Parnell did not know that Sheridan and Boyton had been organising outrage.

*MR. A. J. BALFOUR: Let me correct some errors into which the right hon. Gentleman has fallen. The Commission did not find that the hon. Member for Cork did not know. It is a not proven charge. ["Oh, oh!"] But that is not what I said, for I never alluded in my speech to the distinction between not proven and disproved. I quite admit that the hon. Member for Cork did not know that these men organised outrage.

MR. PARNELL (Cork): I do not know it now.

*MR. A. J. BALFOUR: Of course the Commission found that he did know of the inflammatory speeches delivered by Boyton, and gave Boyton's speech as a specimen of a speech inciting to assassination.

SIR W. HARCOURT: What is the meaning of all this? What is the meaning of that part of the right hon. Gentleman's speech which occupied three-quarters of an hour, unless it was intended as a palliation for the publication of the forged letters; unless it was intended to insinuate that though the letters were forged the charge was true? If that part of his speech meant anything at all it meant that. All the calumnies put forward by the *Times* have been adopted and repeated by the Chief Secretary. It is said that the House is weary of this debate. I believe that is perfectly true; but why are Members weary of this debate? They are weary because you have chosen to force upon the House a discussion which has no practical issue. If there was anything in the speech which the right hon. Gentleman made just now, action ought to be taken. If these men are traitors why do you not expel them? If these men are conspirators why do you not prosecute them? I will tell you why. Because you dare not. What right have you, as my right hon. Friend the Member for Bury (Sir H. James) said the other night, to compound felony or to condone misdemeanours? Either these things are true, and then you are bound to take cognisance of them, or they are false, and you ought to be ashamed of yourselves for repeating them. I believe that the country is weary of this debate. I believe that the constituencies are disgusted with the conduct of the Government. The Commissioners had power to make interim Reports. They did not make interim Reports; but we are getting from day to day from the country interim reports upon the Report from the Court of Appeal to which that Report will have to go. The reason why the House is weary of this debate is very well stated in a Unionist journal. I will ask leave to read a passage—

"The North St. Pancras election has ended in a defeat for the Unionist Party, and it scarcely increases our gratitude to the *Times* and Sir Richard Webster and his Colleagues who were simple enough not only to link our case with the calumnious forged libels against Mr. Parnell, and who, in the plenitude of their wisdom, keep on day after day abusing a group of politicians as criminals, whom the public now consider to be no worse than their neighbours, and who are so far exonerated that further persecution of them is un-English and vindictive."

That is from the *Chronicle*, and it is the opinion pronounced against you in your own journals day after day. Perhaps you would like to have some more of it. Here is what another Unionist journal says—

"We have from the first maintained that the sole point of interest in the proceedings of the Commission was the question whether Mr. Parnell was, or was not, a liar and an approver of, if not an accomplice in, murder, as a powerful organ of public opinion has, with such unparalleled recklessness, accused him of being. He has proved to be neither; on the contrary, he has been shown to be a distinctly and grievously ill-used man. Nobody really cares how much or how little moral blame to attach to certain Irish Members for what they have said or done during the last 10 years in the hurly-burly of political agitation. Revolutions, however mild, are not made with rose-water."

That is the *Daily Telegraph*. Depend upon it these are the opinions of the great majority of your countrymen. You thought those forged letters were a great card. They have broken down, and your majority is breaking down with them. You had an opportunity on which you might have acted of dealing with this Report with fairness and generosity. You have thrown it away. Instead of that, you think it will serve your purpose to go about the country glorifying the *Times* newspaper. The more you do it I assure you the better we shall be pleased. You first of all sent your Attorney General to Oxford, where he glorified the *Times*, which, as its counsel, he was bound to do. You then sent the Minister for

Agriculture to Cambridge, and although he could not altogether approve of forgery, yet, on the whole, he thought the *Times* had acted a highly patriotic part. And then, not to be behind the Minister for Agriculture, the Under Secretary to the Local Government Board went to the Drill Hall at Wimbledon, and he commended the action of the *Times* for its courage and independence, and declared that that journal was deserving of the thanks of all men desiring the good of their country. These are the views of the organs of the Government upon this question. I do not know why; but there seems to be something in the particular performances of the *Times* which commends itself to the country gentlemen. I do not think that men of business and ordinary individuals think that that conduct has been supremely admirable; but it is squires from Lincolnshire and Somersetshire who think that there can be nothing more admirable than that conduct of the *Times*, and this is what they desire to recommend to the country. We have had some new revelations in this debate. We have had, first of all, the statement by the hon. Member for West Belfast, and we have those telegrams which passed between the *Times* newspaper and Sheridan. Who was Sheridan? In the opinion of the *Times*, who communicated with him, he was a villain of the deepest dye—he was a murderer; whether he was so or not I have no means of knowing; but the *Times*, believing him to be one, communicated with him. It sent over a man to traffic with Sheridan for his evidence. When I was at the Home Office it came to my knowledge that the practice of offering rewards was liable to the danger of producing false testimony; and I laid down a rule that no rewards should be offered in the case of great crimes. That rule has been followed by three successive Secretaries of State, and the present Secretary of State got up not long ago and stated in this House that it was a rule at the Home Office that no reward should be offered, and that this decision was taken because they said that if you offered large sums you got false testimony. Yet, with the knowledge of that, Her Majesty's Attorney General has got up in this House and defended the *Times* in offering this money for evidence; he has done in the character of Attorney General what subjects him to the severest official censure. In my opinion, a transaction more scandalous than that which passed between the *Times* and Sheridan in that offer of enormous bribes to give evidence, upon one condition evidently, which was that Sheridan would be prepared to swear up to the mark—that transaction and those telegrams, on the terms of which counsel advised, were as infamous as the forged letters themselves. There is another matter in your public conduct which the country must condemn, and that is the meanness and shabbiness of your conduct in bringing these charges against the Irish Members. I refer to the matter as to which the President of the Board of Trade contradicted me, and said it was a calumnious charge. Calumnious is not an agreeable word; but as it has been sanctioned by authority, it is likely to become acclimatised, and to become the measure of the decorum and courtesy of our proceedings. I will not, Sir, however, use the word calumnious; but with the greatest respect for the President of the Board of Trade I will tell him that I accept neither his denial nor his explanation. The President of the Board of Trade admitted that the leaders of the Tory Party met together months before the dissolution and deliberately determined, without official knowledge, that they would not renew the Crimes Act. And not only was it admitted by the President of the Board of Trade, but the noble Lord the Member for Paddington stated it the other night most distinctly. Why did they come to that decision without official knowledge? It was perfectly unnecessary for them to do so. There is this other fact—that the first thing the Lord Lieutenant of Ireland did was to seek a meeting with the hon. Member for Cork. Why did he meet the hon. Member for Cork, who was subject to all the charges which have been made to-night by the Chief Secretary for Ireland? Why did he meet a man who, the Chief Secretary says, was a traitor and a criminal conspirator? I do not ask what passed at that meeting, but what was the meeting for? Why, it has been admitted it was to discuss the condition and the government of Ireland. Why did you discuss the condition and the government of Ireland with traitors and criminal conspirators? Are those the persons you chose to take into your councils? Then we are told it

was not sanctioned by the Cabinet. That is just the sort of speaking by the card which we find when people are trying to deny that which cannot be denied. I ask whether Lord Carnarvon did not meet Mr. Parnell on that occasion with the sanction of Lord Salisbury, the Prime Minister? and I defy any hon. Member on that side to deny that that was the case. Evasions of that kind are unworthy—pretending that it was done without the sanction of the Cabinet. A great many things are done without the knowledge of this Cabinet. I take it that it was done with the sanction and knowledge of Lord Salisbury, the Prime Minister; and if that is not true let the right hon. Gentleman get up and deny it.

*MR. A. J. BALFOUR: As the right hon. Gentleman has challenged me I will tell him what the facts are. Lord Carnarvon wrote to Lord Salisbury to say that the hon. Member for Cork desired to speak with him—Lord Carnarvon—on certain matters relating to Ireland; and Lord Salisbury said, in my presence, and, if I may express an opinion, said rightly, that if the hon. Member for Cork desired to see Lord Carnarvon, Lord Carnarvon must see him; but Lord Carnarvon on his part was to listen to what the hon. Member for Cork had to say, and to say nothing.

SIR W. HARCOURT: I have no doubt that in the course of this debate we shall hear from the hon. Member for Cork whether the Chief Secretary is more accurate in that statement than in the others he has made to-night, and whether it is true that Lord Carnarvon said anything on that occasion as to his instructions—that Lord Carnarvon was told not to say a word. The President of the Board of Trade asks me to retract what I have said and to make an apology. I am sorry to tell him that I can do neither, but I can refer him to Gentlemen upon whom, perhaps, he may try his hand and see whether he will succeed better. No man who sat in the House in 1885, and who was present at the Maamtrasna debate, will forget the chastisement inflicted on the President of the Board of Trade by the noble Lord the Member for Rossendale (the Marquess of Hartington). The noble Lord went down to his constituents in August and said—

> "I have already expressed my opinion as to their action and as to their promises. I think that the conduct of the Government in regard to Ireland has dealt a blow both at political morality and the cause of order in Ireland."

That is the opinion formed of you by the noble Lord; you had better go and ask him for an apology. There is another source to which the right hon. Gentleman may go for an apology. The right hon. and learned Member for Bury (Sir H. James) said to his constituents in 1885—

> "Losses (that is losses of seats) certainly had occurred, and they could trace them directly to a cause that must bring discredit and disgrace in the end upon the great Tory Party in this country. It was not only with whom but under what conditions the Tory Party had entered into that alliance that made it disgraceful and humiliating. We now know that for some purpose the then Opposition met in the month of May and secretly agreed that they would oppose any re-enactment of the Crimes Act—the Act which the Tory Party had insisted should be passed, which they demanded should be made more stringent than the Liberals ever proposed. It was not denied that that resolution was communicated to the Irish Members, although, of course, we must accept the denial that there was any agreement between the parties. When he heard that throughout Lancashire the arrangement would cause loss of seats to the Liberal Party he asked himself whether it could be true that John Bull was dead."

The right hon. Gentleman had better try whether he can get an apology and retractation from the right hon. Member for Bury. If he fails with the noble Lord and with the right hon. Gentleman, then he has sitting by his side a more promising subject still—the neophyte of the Conservative Party. We took great interest in the speeches of the Chancellor of the Exchequer at that time. He had not blossomed into a neophyte of the Conservative Party. He was a reclaimed although an erring sheep, who had returned to the Liberal fold just at that moment. He went about the country, and he had two main topics in his speeches, admirable and able as they always were. The first topic was a denunciation of the "unauthorised programme" and of its unauthorised author. But the second and the more eloquent topic was the wickedness of the alliance between the Tory Government and the Irish Party. He will remember the

speech at Edinburgh in which he used the admirable illustration of the wink which is given by an auctioneer to a willing bidder. Could not the right hon. Gentleman the President of the Board of Trade extract an apology from the Chancellor of the Exchequer? Perhaps it has been made already. Perhaps the neophyte appeared at the door of the Cabinet in a white sheet—a statuesque apparition—and made his apology for the calumnious charges of an alliance between the Tory Party and the Irish Party. Now, what is it that you are demanding of this House? You are demanding that we should accept as final and conclusive the finding of the Judges in this matter. I decline to do anything of the kind. I always opposed this Commission upon the ground that the Judges, by the Constitution of the country, are no proper tribunal to find a verdict on crime. No Judge in this country can find a verdict upon any crime. It is only where you have suspended the Constitution, as you have often suspended it in Ireland, that Judges find verdicts in crime. It is the jury, and the jury alone, that finds a verdict of guilty or not guilty. The Judges may lay down the law, but the jury is not bound to accept it. The jury has found, happily for the liberties of this country, over and over again against the charges and against the directions of the Judges. And why? Because the jury have the power of looking at all the surrounding circumstances which the Judges are incapable of appreciating or dealing with. Why, Sir, where should we have been if we had allowed the Judges in this country to find verdicts in matters of treason? No man's life or liberty would have been safe. For generations the Judges have always found in former days against the liberties of the subject. I will not say always, because there have been one or two conspicuous exceptions. But the Judges pronounced for ship money, and the people refused fo accept the verdict of the Judges; tho Judges found for the dispensing power in the time of James II., and a more recent and, perhaps, quite as famous an example was when, by the Common Law, the Judges had the power to deal with the question of political and seditious libel in that immortal contest which Erskine waged against Lord Mansfield and the great Judges of those times. It was then declared that the Judges should not be allowed to determine on the question of whether a publication was or was not a libel. The Judges by the law of the land had authority to determine the libel, and the jury to determine the publication. By Fox's Act that power was taken away from the Judges, because it was held that the Judges were not a proper tribunal to determine questions of that kind. After that the Judges were allowed to direct juries upon questions of political libel, but the juries were allowed to find a general verdict, and over and over again the liberties of the country would have been in a very bad plight, if juries had not refused to follow the directions of the Judges. Again, there is that great case of Hone, in which the jury refused to follow the direction of Lord Ellenborough, who was as eminent a Judge as any who sat on this Commission. Lord Ellenborough went once, twice, and thrice to the London jury and instructed them to find the prisoner guilty of seditious and blasphemous libel. He said—

> "I will deliver to you my solemn opinion, as I am required by Act of Parliament to do, under the authority of that Act, and still more in obedience to my conscience and my God I pronounce it to be a most impious and profane libel, and, hoping and believing that you are Christians, I doubt not that your opinion is the same."

That might have been drawn up by the Attorney General himself. What did the jury do? Did they follow the direction of the Judge? Not at all. They immediately found the prisoner not guilty of the libel with which he was charged. Looking round to the political circumstances they absolutely refused to follow the Judge's ruling in that matter. Then we may come to still later times. You talk of criminal conspiracy. The Judges constructed a theory of criminal conspiracy about the Trades Unions—about the relations between employers and employed. What did we do in this House? The right hon Gentleman the Member for Bury (Sir H. James) and I and others came down here and denounced the law of the Judges, who were no doubt most impartial, according to their own conceptions of what was right and just. But we reversed the opinion of the Judges and abolished their Judge-made law in this

matter. Why, then, are we to be asked to accept as conclusive in matters of criminal conspiracy the opinion of the Judges? In my belief it is not a sound opinion at all. At any rate it is most unjust that, as the Home Secretary told us the other day was the case, that which is allowed to Trades Unions is not permitted to agrarian combinations. It is most unjust to subject the Irish Members to a law which you have determined shall not be applied to workmen in England. I deny that we are to be bound in this matter by the opinion of the Judges. In the matter of treason—well, I think we need hardly talk about treason in this case. *Solvuntur risu tabulæ* they said in old times, and the panegyric upon treason as a respectable and gentlemanly vice pronounced by the hon. and gallant Member for North Armagh (Colonel Saunderson) has brought the thing to a point we may afford to laugh at. With a prescient prudence he has made an apology for hypothetical treason, and when he has failed to die in the last ditch of Ulster, and is dragged on a hurdle through the streets of Armagh, I will sign a petition for his reprieve, for I should be sorry to see his brains more scattered than they are. Now, before I sit down, let me ask the Government what they propose to themselves by adopting this Report? You might, if you liked, have taken a different course. You might have said that you were glad that the foul charges against the Representatives of the Irish people were disproved by the findings of the Judges, and you might have disengaged yourselves from the libels of the *Times*; you might have put Home Rule upon a nobler and a higher basis and have argued the matter on Constitutional grounds. But, on the contrary, you have chosen to go on in the old path of personal detraction, and with the charges, repeated to-night by the Chief Secretary, of personal dishonour. It was so put distinctly in the conclusion of the speech of my right hon. Friend the Member for Bury. He said—

"We pursue these charges in order that no power may be given to such men."

No power to such men! Do you mean in Ireland? Why, who has got the power in Ireland? The people who have the power—in any country, at least, that pretends to be free—are the people who command the confidence and goodwill of the nation. Have you that confidence and goodwill? Are you able to take from hon. Members opposite the power they possess? No; by your shabby and spiteful persecution you have increased that power. Have they no power in England? Go and ask your own constituents. No greater change has ever taken place in this country than that which has occurred in the attitude of the constituencies towards Irish Members. Wherever they go, there they are welcomed, and you know it as well as we do. If they are not worthy to exercise power in Ireland, why are they worthy to exercise power here? Have 85 Members voting in this House no power in the affairs of this great Empire? If you say that they are not entitled to exercise that power in England or in Ireland, why do you not tell them to withdraw from those seats and go through that door? I will tell you why. Because you dare not. You know perfectly well that the people would not sustain you in such a course. Then you say, "No, you must stay here." What are they to stay here for? They are to stay here in order that you may vote them down and insult them to their faces and tell them night after night that they are men devoid of personal honour. That is your conception of the Union. That is your idea of the manner in which you are to unite two peoples. The Chief Secretary says he is going to introduce a remedial policy for Ireland this Session. What a preface is this to a remedial policy was the speech of the right hon. Gentleman to-night. The right hon. Gentleman is like a physician who says he is going to supply a soothing and anodyne treatment, and begins by covering his patient from head to foot with blisters. What a sagacious physician is the Chief Secretary for Ireland with remedial treatment! Why, these men are human; they have the spirit that we all have, and men whom you outrage and insult, as the Chief Secretary has outraged and insulted the Members for Ireland to-night, will fling back your proffered boon in your face. Well, Sir, long as this debate has been, it has at least had one useful object. It has brought before the public eye—it has been a faithful mirror of two opposing policies. You have heard one voice,

one policy, in the fine speech of my right hon. Friend the Member for Mid Lothian, a speech, I think, unequalled in any period of Parliamentary eloquence. You have heard the same policy set forth in the eloquence, hardly inferior, of my hon. and learned Friend the Member for South Hackney (Sir C. Russell). The other voice, the other policy, you have heard well represented in the speeches of the hon. Baronet the Member for North Antrim and of the hon. and gallant Member for North Armagh, and you have heard it out-Heroded to-night in the speech of the Secretary for Ireland. What is that policy? It is the insolent language of a dominant race towards a subject people; it is instinct with class hatred and with religious animosity. I never listen to speeches like those of the hon. Member for North Antrim and of the hon. and gallant Member for North Armagh without being reminded of the spirit of the slave-owners of the Southern States of America. This is the way in which they regard, in which they treat, the population amongst whom they live. In the days which brought disaster and disgrace upon the English name, the days of the great struggle between England and her colonies, there also were two parties and two policies. There was a Government in those days which had a policy like yours, and I think the calibre of that Government was very much the calibre of yours. They, too, had an Attorney General whom they set to work to defend Franklin before the Privy Council; they repented of their Attorney General, and you will repent of yours. But there were men then, as there are now, who represent the Liberal Party, like my hon. Friend of whom I have spoken. There were men like Chatham snd Burke, who preached conciliation aven to rebels in arms, and who showed a statesmanlike wisdom in their endeavour to seek reconciliation even with men allied to a foreign foe. I think it was Chatham who, speaking of the rebels in America, quoted the lines of Prior—

> "Be to her virtues very kind,
> Be to her faults a little blind,
> And clap a padlock on the mind."

Those were words of wisdom and statesmanship, and that is the statesmanship of which you seem totally incapable. Your policy has been to exasperate, to irritate, and to insult the Irish nation and its Representatives. That is not the road to conciliation. We have a better, we believe a wiser and a nobler policy, and the first fruits of that policy we show in our demand that you shall offer to the Irish nation and the Irish leaders the reparation which is their due for an admitted wrong. You refuse. Well, the responsibility will lie with you. Yours is a policy of exasperation, irritation, and insult, and to that we oppose a policy of charity, of generosity, of forgiveness, and of conciliation. [*Laughter.*] Oh! you may laugh at it. That is just the way men laughed at the contest in America. I repeat ours is a policy of generosity, of conciliation, and of peace; and on these two issues we demand, in the language of your criminal tribunals, that the Irish Members shall be tried by their country, upon which I believe they will have a good deliverance. We demand that they shall be tried not by three Judges, but by three nations of the United Kingdom.

Question put.

(12.55.) The House divided:—Ayes 339; Noes 268.—(Div. List, No. 23.)

Main Question again proposed.

Debate arising.

Debate adjourned till To-morrow.

MOTION.

TEACHERS' ORGANISATION AND REGISTRATION BILL.

On Motion of Sir Richard Temple, Bill to provide for the Registration and Organisation of Teachers, ordered to be brought in by Sir Richard Temple, Sir Lyon Playfair, Viscount Lymington, and Sir Albert Rollit.

Bill presented, and read first time. [Bill 178.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 11*th March*, 1890.

REPRESENTATIVE PEERS FOR IRELAND.

Earl of Longford—Petition of Thomrs Earl of Longford in the Peerage of Ireland, claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

Viscount Frankfort de Montmorency in the Peerage of Ireland, claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

LARCENY ACT, 1861, AMENDMENT (USE OF FIREARMS) BILL.—(No. 18.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF MILLTOWN: In asking your Lordships to give a Second Reading to this Bill, I may, perhaps, remind the House that it is identically the same Bill as that which your Lordships passed last year. It has for its object the rendering liable to corporal punishment, burglars and housebreakers who of malice aforethought provide themselves with firearms, for the purpose of carrying out their designs. Your Lordships last year passed the Second Reading of this Bill in April, by a majority of 59 to 39. It was then referred to the Standing Committee on Law to which my noble and learned Friend opposite paid so high a tribute the other day. It was then most carefully considered, almost every line of it was more or less contested, and, after two sittings, it passed through that ordeal no doubt considerably inproved by some Amendments, for which I had to thank my noble and learned Friend opposite, although he was opposed to the principle of the Bill. It then came back to your Lordships' House, and my noble and learned Friend took the somewhat unusual course of challenging the Third Reading. I do not the least complain of that. The Bill passed the Third Reading by a majority of 75 to 19. Owing to the late period of the Session and the pressure of business in another place the Bill could not be proceeded with any further last year, and I confess I was in hopes that, under the circumstances, it might have been allowed to proceed this year, and that the opinion of the other House of Parliament might have been allowed to be obtained upon it without further trouble. But my noble and learned Friend the Master of the Rolls appears anxious to fight the battle over again. Under the circumstances, I think it will be unnecessary for me to weary your Lordships by repeating arguments which I used last year. If my noble and learned Friend brings forward any new arguments on his side. I shall, bye and bye, have an opportunity of replying to them. At present I will simply remind him that I showed the House last year that the opinion of the learned Judges, when consulted on this question some years ago, when my noble Friend below me was Home Secretary, was all but unanimous in favour of the punishment of flogging for the crime of robbery with violence. Amongst those who gave the opinion that that punishment had had a wholly deterrent and efficacious effect was one of the most learned of the Judges, for whose opinion I should have thought that my noble and learned Friend would have entertained at any rate considerable respect—Mr. Justice Brett. Not only was the opinion of the learned Judges almost unanimous (there were only two dissentients), but that of the learned Recorders, the Chairmen of Quarter Sessions, Chief Constables—in fact, of everybody who was cognisant of the habits of the criminal classes—coincided. Well, my Lords, public opinion has also, I venture to state, expressed itself in no uncertain manner in favour of this Bill. The organs of public opinion, with some exceptions which are hardly worth enumerating, are unanimously in favour of it. I do not think I need now trouble your Lordships by again going over the ground traversed last year, but that I may content myself with simply moving that this Bill be now read a second time.

Moved, "That the Bill be now read 2ª." —(*The Earl of Milltown.*)

LORD ESHER: My Lords, I am sorry again to inflict upon your Lordships my objections to this Bill. The Bill is Criminal Code of this country physical one for the re-introducing into the personal pain to be inflicted on criminals in order to prevent crime. Your Lordships are all aware that in the older days flogging of prisoners was a punishment which was inflicted in very many cases, for the purpose of preventing many crimes. Flogging was also used in the Army and Navy, for preserving discipline and for the punishment of crime there. It was given up: and why? Because it was determined by the country and by Parliament that it was a cruel and brutal punishment, and a futile punishment. People were flogged from Newgate to Tyburn; people were flogged to various extents; in the Army and Navy the floggings were tremendous. Did that put an end to the crimes for which that punishment was used? It most certainly did not. The floggings went on, but the crimes did not diminish, and the punishment was put an end to on account of the horror which was produced on everybody who heard of its infliction, for everybody did not see it; and also on the ground that it had not prevented the crimes which it was intended to prevent. Now, by this Bill it is proposed to re-introduce that punishment in the case of this particular class of crimes. Will that punishment be in this case cruel or not? Will it again induce those feelings of horror which it induced before? I do not know whether your Lordships have read this Bill, but let us see what the flogging is to be. A man convicted of one of these crimes, and there are several of them which I shall presently notice, may be ordered to be flogged with a cat three times, and to have 50 strokes administered each time; but all the floggings must take place within six months. Let us see what the practical effect of that is. A man is flogged with 50 strokes of the cat directly after he is convicted. How long will his wretched back take to heal after that punishment? I venture to say that it will take many months before his wounds are healed. But only two months are given for the wounds which have resulted from the horrible punishment inflicted on that man to heal. His back will hardly be healed ere you must flog him again—you must flog him at the end of the second month or else you do not comply with the Act. But what will be the state of his back at the end of the second flogging? When you have come to the end of the second two months and have to flog him again it will be a dreadful thing to contemplate. And then he is to be flogged a third time. His condition then will be still worse. This Bill, as is usual, throws the responsibility off those who have drawn the Bill—it throws the responsibility off Parliament and throws it upon the Judges. It says the Judge may order a man to be flogged with 50 strokes three times in six months. The moment one points out the cruelty of that punishment, what is the answer? The answer is—"Oh, but the Judge will not order it—he will not order a brutal punishment." Is he never to order it? What is the meaning of an Act of Parliament which says that you may order a criminal to be flogged to that extent? Properly speaking it may be said the mode in which a Judge ought to interpret that Act of Parliament is to award the lightest punishment for the lightest class of offences; and the heaviest punishment for the heaviest offences; and for the worst class of offence he may order the heaviest punishment and may inflict the whole 50 lashes within the six months. For the worst class of burglary a man is now sent to penal servitude for life. If you send a man to penal servitude for life you put him out of the way of doing further mischief, and yet you are proposing to administer to him the dreadful torture of this corporal punishment. Is not that a retrograde movement in the direction of things in old days? To my mind it is a going back to the old days, and though you do not flog the criminal from Newgate to Tyburn, yet you flog him in a way which gives nothing but pain to his person. Therefore, I say it is a retrograde movement, and if it is a retrograde movement to the extent which I have stated, what would be a sufficient ground for Parliament introducing such a state of things? If the Government, after having inquired of proper sources of information, that is to say of the Judges, had upon their responsibility

been able to come forward and say, "this crime or this new phase of crime is beating the old law; the old law cannot put it down, when administered with its full power; it has been tried and has failed; there must be something new; and we, upon our responsibility, bring forward this Bill dealing with this particular class of crime, and say that we cannot conquer this new phase of crime without it," there would have been something in it. But the noble and learned Lord is obliged to go back years in order to learn what was done in the case of another class of crime which did become so frequent that the ordinary punishment by law could not conquer it. At that time the Judges were asked to come to the conclusion from their experience of what had happened at Assizes that they could not beat the new phase of crime then prevalent without having that additional power given them, and they then advised it. But no such thing has been done in this case. The Judges do not recommend it, and when you look at the facts I say deliberately that this crime has not beaten the law, this crime is not increasing, and that you have not yet tried the full power of the law in order to prevent it. Now what would prevent it? There was a sharp sentence passed some time ago on a person who was convicted of using firearms, and, as far as I can see, that sharp sentence has frightened the criminals, because I can see no increase of this crime, but on the contrary, it seems to have ceased for a time. The Judges have not been asked about it; there is no statement put forward by any authority on the subject, and there is nothing to show that severe sentences as the law stands would not have checked this crime. If you let the criminals know that if they go with arms to commit burglary their punishment will be the most severe that is allowed in each particular case—that is to say, in burglary of the worst kind, penal servitude for life—there is nothing to show that that proper punishment to be inflicted by law will not beat this crime. Therefore, I say there is no excuse for individual Members bringing before this House a Bill of this description, without inquiries having been made which the Government might and could have made. I say there is not sufficient ground or reason for passing such a Bill as this. But when you come to look at this Bill it contains some very strange enactments. It says, that if a man commits a burglary having in his possession firearms, although he has no cartridges with him with which to load the firearms, and it is therefore clear and obvious that he never intended to use them, he is to be flogged, and to the extent I have stated. More than that, if three men go to commit a burglary, and one of them stays outside; if it can be proved to demonstration that the others did not know that he had a pistol in his possession, and that they would not have gone with him if they had known it; nevertheless, because he had a pistol in his possession and escapes, getting clear away, when the others are tried for the burglary they are liable to be flogged three times in six months, with 50 strokes administered each time. It seems to me that that is a cruel law. I go further; to my mind it seems a wicked thing to pass such a law as that. But what would be the answer? The answer is that in such a case the Judge will not inflict the punishment. There again, I say that is shirking your duty. It is throwing upon the Judge the responsibility of saying—for the Act of Parliament enacts it—"Though this is as bad a burglary as could be; though the criminals have used any amount of violence, yet because they had not a pistol in their possession, and the other man had, I will not flog them." That would be in the teeth of the Act of Parliament. I say, in such a case under the Act of Parliament you ought to flog them. I say, therefore, that this Bill has not been drawn with the care which one could wish when its object is the reintroduction of so strong and powerful a punishment. Then another observation which I think ought to be made is this. This punishment is confined to a man having a gun, or pistol, or other firearm in his possession. If it is a true proposition that those burglars using weapons of that kind ought to be flogged, what do you say to a burglar going to commit a burglary with a long bowie-knife shining like silver—such knives as I have seen used by robbers and other people? Why is a man who carries a bowie-knife for the purpose of stabbing people not to be flogged, while a man who carries a

pistol, even without cartridges, is to be flogged? If you re-introduce this kind of punishment of personal pain by way of preventing crime, are not there other crimes which equally deserve this punishment? Are you going to stop here? What say you to the men who defile and destroy young children? Is not that a crime which is more frequent than this? I ask, if flogging would be a deterrent from such crimes, why should not these men be flogged? No doubt there are some noble Lords who would re-introduce the whole Penal Code of the last century. Suppose the case (it is not an infrequent class of crime in this country) of six or eight men taking hold of a young girl, and every one of them outraging her, one after another. What could be a more horrible crime than that? Why not re-introduce flogging in that case? Surely you should flog in that case, if you are going to flog at all. I will not refer to other classes of crime which are familiar to us all. I think it must be in the minds of some that there are many other crimes which are of quite as frequent commission as this, and if you apply this punishment to this class of crime, one would think you would also apply it to those crimes. Then, you come to this: Supposing you do flog these people, is there anything to show us that it will deter them? It did not deter criminals from stealing in the old days, when they were flogged from Newgate to Tyburn; it did not deter people from committing robberies, for which they were liable to be flogged. It did not deter soldiers or sailors from committing crimes. On they went, and the crimes did not diminish. What ground is there for saying, therefore, that it will prevent crime now? I venture to say, as far as my judgment goes, that within a year after you have recommenced flogging, burglary will go on to as great an extent as before, and that if the criminals happen to have pistols with them, they will shoot policemen just as before. I say, if you apply the law as it is, with determination, and always with a determination to prevent and deter criminals from using firearms when they have firearms in their possession and intend to use them—I would not go to the length of saying more than that, not alone having them in their possession, but where there is clear ground for supposing that they intend to use the firearms—that would be a ground for inflicting severe punishment. My noble and learned Friend has gone through the offences which are called burglaries; he has taken from certain collections of different Acts of Parliament those classes of offences, and let us see, therefore, what his use of firearms means. I see that the first refers to "Whoever shall break into or enter a church or chapel, or place of Divine worship with a pistol in his possession"—whoever shall break into or out of them. If a man breaks into a church at night there will be nobody there. He goes in to rob the poor box, or to steal the plate, but there is nobody upon whom he can use pistols; but because it is called burglary the man is liable to be flogged. In a dwelling-house, no doubt, the case is more serious; but when you consider what the burglary is, and that the punishment for it may be penal servitude for life, it is open to what I said before, that if it is a bad burglary you send the criminal to penal servitude for life, and why on earth you should torture him in addition I cannot imagine. It is a thing too terrible to contemplate. Then there are other kinds of burglary, such as breaking into a warehouse. If a man breaks into a warehouse at night the chances are very much the same as in the case of a church or a chapel, that is to say, that there is nobody in the warehouse. But there is no discrimination made in any of these cases; and, with great deference to my noble and learned Friend, I say that this is a carelessly drawn Bill. It is a Bill by which Parliament shirks its duty and throws the duty upon the Judge. It is a Bill drawn in a fit of hysterics, and I say it is a hysterical measure, because people have become frightened, and have not tried whether these particular cases can be met by the proper application of the ordinary law. I move that the Bill be read a second time this day six months.

Amendment moved, to leave out "now" and add at the end of the Motion "this day six months."—(*The Lord Esher.*)

*Lord BRAMWELL: My noble and learned Friend has said that this measure is put forward in a fit of hysterics, but I think the fit of hysterics has been a very

long one, because the Bill was in existence more than a year ago, I believe. I do not think there is anything hysterical about it at all. I do ask your Lordships to consider what the offence is which is aimed at by this Bill. It is the offence of a man going with a deadly weapon to commit a burglary, a most grievous crime in itself, creating great alarm and terror in the people who are the victims of it, and almost of necessity when discovered leading either to violent resistance, or violent attack, or both. It is the case of a man going to commit a crime with a deadly weapon in his possession, not necessarily to be used, for I dare say these men would rather not use weapons, but to be used if occasion requires. And mind, this is not an offence which is committed in a hurry, it is not like the case of a sudden stabbing, or striking, or delivery of a blow, but it is a thing which is deliberately resolved upon by the offender before he starts. Is it not as well then, that when he is thinking of what he will do, he should think also of what he will suffer, if he is detected in this most serious offence? I declare that I know scarcely any offence which is greater than this, unless it be murder, and for that you can hang a man. I am very much inclined to think that if a pistol or firearm be fired that it would be a very proper punishment to be given to the burglar who goes forth to commit burglary, and resolved to fire and do murder if occasion requires. That is the offence which your Lordships have to deal with. Then my noble and learned Friend the Master of the Rolls asks—"But has flogging prevented crime?" I answer "No, nor has any other form of punishment prevented crime." Even capital punishment does not prevent crime altogether; certainly fines do not prevent it; penal servitude does not prevent it. Nothing prevents it altogether; but the punishment lessens it. It is quite impossible to say, therefore, that this or any punishment has not been a proper one because it has not been efficacious for putting an end to crime. But the question is, Does the punishment diminish the crimes? My noble and learned Friend says no, and that the men who were in former times punished for the commission of offences were not deterred thereby from committing them. Upon that point I should like to give your Lordships an opinion which I have received from a gentleman named France, who had experience in these matters, and who was one of the Under-Sheriffs for Kent. He informs me that the men who had been flogged never appeared in prison afterwards, whereas other offenders constantly re-appeared. Then, again, my noble and learned Friend, as one of his arguments against the Bill, says—"But see what an enormous power you give to the Judges of inflicting this severe and cruel punishment; you shirk the responsibility and throw it upon them." My Lords, you cannot help it; you must give the Judges discretionary power in the infliction of punishment. I wish, for the sake of the Bench of Judges, of which at one time I was a member, that they could be relieved of that responsibility. I most heartily wish that could be done; because of all the different duties I had to perform during the 25 years that I was a Judge the worst was that of fixing the amount of punishment of offenders who were brought before me, whom, in the immense majority of cases, I could punish by a shilling fine or imprisonment up to penal servitude for life. I believe if there could be any scale fixed which could be practically worked nobody would be more desirous that that should be done than the Judges themselves; but unfortunately you cannot lay down rules which shall so discriminate between one set of cases and another, that the discretion of which I have spoken shall not be left to the Judges. Then the noble and learned Lord says—"But the pistol may not be loaded, and the man may have no cartridges in his possession with which to load it, and yet you will be inflicting this punishment." But that and a good many other objections which he has taken are objections not to the principle of the Bill but to the details of it. Now, the principle of the Bill is the repression of the armed burglar; and if it is not necessary to extend it to a case where you cannot find that there is a charge or a shot in the pistol, then let the Bill be so amended in Committee, But it has already been before a Committee of your Lordships' House, and is now presented to you as it was then amended. Another objection which my noble and

learned Friend takes is this. He says—"You are in a sort of dilemma in confining the Bill to firearms. Is it right that a man should be flogged if he has a pistol in his possession and not if he has a bowie-knife." Well, my Lords, which is wrong? If one is right and the other wrong which is wrong? If it is right to flog them both that is one thing, and we are only seeking to do half what we ought to do. If it is wrong to flog them both let those who oppose the measure prove that it is so, but let them not say it is wrong to do this particular thing because if it is right to do it you are not seeking to do something else which is right on the same principle. That is not a sound objection. However, that is my noble and learned Friend's argument upon that point. I quite agree with what the noble Earl, who introduced this matter to your Lordships, said that you ought not again to be troubled with long speeches upon this matter, because you have really had it all before you on previous occasions. What I ask you to do is this: Consider what a grievous offence this is, and ask yourselves whether there is a more grievous offence in the calendar, or one which more urgently requires stern repression. It may be, and no doubt it will be, that this Bill will not entirely put a stop to it, but that it will diminish this class of offences, and, therefore, I support my noble Friend in asking for a Second Reading for the Bill.

LORD HERSCHELL: My Lords, I am certainly not going to trouble you at any length with observations which I have made before, which I then made in vain, and shall equally make in vain to-night. Nevertheless, as my noble and learned Friend who has just sat down has again expressed his reasons for the enthusiasm he has shown for this particular form of punishment, I shall once more shortly state my objections to its infliction. I think he has himself shown the danger of the course upon which the Bill is entering. "What a horrible crime this is," says my noble and learned Friend, and there I quite agree with him; but he went on to say that he would be quite prepared to inflict the punishment of hanging for such an offence as this, though it might not reach the point of murder. That seems to me to show the danger of entering upon a course of legislation of this description, because if you carry it out to its logical result you will probably next have a proposal to inflict the punishment for other kindred offences, and you may have the punishment of death inflicted for every crime of which people may happen to become alarmed, and which they may describe in very terrifying terms. That is one of my objections to the re-introduction of this special punishment for a particular class of crime. I object to it because you are not perfectly assured of the results in which it may land you when once you have commenced. Now, I entirely agree with my noble and learned Friend that the offence of carrying firearms with which the Bill deals is a very serious one; I do not think its seriousness has been in the least degree exaggerated; but I cannot agree with my noble and learned Friend that burglary itself is such a very heinous offence. He well knows in his experience that there are plenty of burglaries committed which are infinitely less serious than many other offences, which are visited with slight punishment.

*LORD BRAMWELL: I think I said so. I have felt that strongly, and I have tried to send such cases to Quarter Sessions.

LORD HERSCHELL: There are, of course, other cases in which burglary becomes a very aggravated offence. But, my Lords, one question upon which I am at issue with my noble and learned Friend is this. He asserts that if you add this particular punishment to the punishments already existing, the number of these cases would be diminished. I deny that there is anything to warrant that assumption. We have not had a single fact placed before us which warrants that assumption. It rests simply upon individual ideas as to what is likely to be the operation upon the minds of burglars of a particular state of the law. I will tell your Lordships why I do not believe this punishment has the effect which many suppose. In the first place the statistics which have been obtained, so far as they can be obtained, with regard to the offence for which it can at present be inflicted, certainly do not point in that direction at all; but if any inference can be properly drawn from them it would be the contrary. In the next place you have this fact: crimes

for which you cannot flog have diminished during the past few years 50 per cent., and crimes for which you can flog have not diminished at all. Surely that is a remarkable fact if it be supposed that this punishment has such a deterrent effect as some believe. But I quite agree with my noble and learned Friend, Lord Esher, in saying that before such a Bill as this is passed, we ought to have information on the subject from the Government, because the Government alone can give us the official information which can be a guide under these circumstances. I will tell your Lordships why I do not believe this punishment is likely to be deterrent, and I am, in saying this, simply reasoning as my noble and learned Friend reasons, from one's knowledge of human nature and of the influences which actuate human beings. I do not dispute that by the prospect of flogging you might deter a man from the commission of an offence if you are standing at the moment with a whip ready to flog him at the time he is preparing to commit the act, though, even then, it may be doubtful, as in the case of sailors committing offences on board ship, and who know that they cannot escape—who know that there is no question of their being caught, as the burglar may hope to escape. It has not a deterrent effect there. But my noble Friend supposes the burglar to reason thus—"I do not care for the penal servitude for life, I do not care for that deterrent punishment, although I shall suffer the deprivation of my liberty for long years; that does not deter me at all; I will risk that; but if you add to the penal servitude the chance of the addition of so many strokes of a cat-o'-nine-tails that will stop me; there I draw the line." The one punishment will stop him and the other will not; that is the supposition. I do not believe that if a man knew he was going to be caught and was going to receive a sentence of penal servitude, he would run the risk. He does the act because he does not believe he is going to be caught and to get a sentence of penal servitude. Therefore he will think he is not going to get the flogging either. He will not get the flogging, of course, unless you catch him, and if you do not catch him he will be just as free from the flogging as from the penal servitude. I think, therefore, that the chance of getting an additional flogging, will not deter a man who thinks he may not get either it or the penal servitude. But I think there is a greater evil in your adding this punishment, for this reason. A man does not like to get penal servitude. Why does he carry a weapon now? Because he thinks that by creating alarm with it, or possibly by the use of it, he can get free or can diminish the risk of capture. That is why he carries it. If you think your flogging is going to have this deterrent effect, do not you think it is possible he may say, "It is more than ever necessary for me to carry a pistol, because, if I am caught, it will be all the worse for me. I shall have penal servitude for life even if I do not carry the pistol, and therefore I had better carry it even at the cost of a flogging plus the penal servitude." To suppose that the man is going to sacrifice his chance of liberty for the risk of a flogging in addition is futile. I do not believe he would. I do not think, from my experience and knowledge of human nature, that is the way in which a man would reason at all. The truth is that the burglar goes out on his expedition in the expectation that he is not going to be caught, and that is why he is ready to take the risk, and will be ready to take it with this punishment or without it. I will only say this in addition: If the noble Lord had succeeded in passing this Bill last year, I have no doubt we should have been told in most eloquent terms that he had succeeded in putting down burglary with firearms, there having been a cause for general alarm on the subject. But during the past year, although the Bill did not pass into law, there has been a considerable diminution of this offence. We have heard of late of comparatively few of these cases, and certainly nobody can say there has been an increase of these crimes beyond what they have been in years past. That is one of my reasons for objecting to special legislation of this kind. I object to it unless there is special need for it, and where has the special need for it been proved on the present occasion? My noble and learned Friend says the law may be inefficacious, but, if so, you can alter the law; you can bring in a fresh Bil

giving a proper punishment. I agree that you can. But, surely, it is an objection to any law being passed if it makes the remedy inefficacious, and if it inflicts a punishment in respect of a particular offence which is not, upon the hypothesis of the moment, alarmingly frequent, and if it omits to impose that punishment for a similar offence which at the time needs to be just as much if not more guarded against. I say that the whole case for this Bill goes unless you can show by the increase of alarming cases that there is need for it. If there is not, then surely it is an unnecessary measure for the purpose of dealing specially with one kind of offence, while leaving undealt with other offences which require, on the same principle, legislation just as much. I will not detain your Lordships further with a repetition of observations which I made last year in opposing this Bill.

*LORD NORTON: The noble and learned Lord who has just sat down says we have no right to introduce a punishment unless we are quite certain that it will be deterrent of the crime against which it is directed; and he seems to have this ready reckoner, that all crimes for the punishment of which flogging is not inflicted have diminished; but that those crimes for which flogging may be inflicted have increased. According, therefore, to this ready reckoner of the noble and learned Lord we have only to abolish the last remaining vestige of corporal punishment in order to reduce or put an end to crime in this country. But, in the first place, as to his statement that there is no proof that flogging would be deterrent. Is there no proof? I would ask him, first, on grounds of philosophy what does deter people from committing crime but something which meets the motives of the people who commit it? Can he deny that there are cases where people's motives to crime can only be dealt with by the fear of pain? Can he deny that the fear of pain is the only thing which deters from the more brutal kind of violence? We know from experience what has been the result in three classes of offences to which flogging has been applied within the last 20 or 30 years. There were cases of firing at the Queen by half-crazy individuals, who clearly did not want to murder Her Majesty, but who had only acted from a morbid wish for notoriety. Flogging was enacted, and the offence absolutely ceased. Another case in which the threat of flogging has stopped a miserable itch for mischief is the mutilation of works of art. It was found that some wretched fellows took a pleasure in mutilating works of art in the British Museum and in other collections. Flogging was enacted for cases of that sort also, and they ceased from that moment. The third class of cases was those dealt with under the Garrotting Act. Flogging was made the punishment, and garrotting has almost ceased since that Act was passed. I know that it was disputed in the last debates upon this subject whether the Garrotting Act had stopped garrotting. I think the noble and learned Lord Esher himself stated that there were certain severe sentences passed by the noble and learned Lord Bramwell which were efficacious at that time and caused the cessation of garrotting. But we find the noble and learned Lord himself who passed those severe sentences telling us to-night that he considers particular cases of crime are specially to be met by corporal punishment; that neither imprisonment nor penal servitude will meet those cases, and that they are cases in which punishment must be short and sharp; and he states that the cases most requiring this kind of punishment are the very cases which we are dealing with—that is to say, cases of brutal violence. But the noble and learned Lord the Master of the Rolls has said that floggings had failed to reduce crime, and then he described the kind of flogging which he had in his mind at the time—that is to say, the most cruel and brutal kinds of flogging which were inflicted in former days. Does he mean to draw any comparison or inference from the non-effect of punishments of that sort and the more moderate use of corporal punishment proposed by this Bill? The reason why those floggings in former times ceased to be inflicted was that they were excessive, and the whole feeling of the country was against them, and from their very excess they failed to have the effect desired. But this proposal is a totally different thing, and what the noble and learned Lord who moves the Amendment has to show is that this is a punishment which

will not meet the case of these offences. I would ask the noble and learned Lord to tell us plainly what is his alternative. He admits that this brutal crime of robbery with firearms exists, and he agrees that the punishment which we now use does not stop it.

LORD ESHER: Indeed, I did not say that our present law cannot stop it; I said exactly the contrary. What I said was, that if you try the present law, and unfailingly inflict the proper punishment which the law allows, you will put an end to the offences.

*LORD NORTON: My noble and learned Friend admits that the crime exists, but he says that if you try on the law as it is it will cease. That is to say, it is existing, and nothing effectual is done to check it; the noble Lord's recommendation, therefore, is to let it go on. That is really his recommendation. Now, let me consider whether he has said anything more to the point than that. In the course of his speech he suggested longer terms of imprisonment, or penal servitude. Is penal servitude with its uncertainty a sort of punishment which will deter men who hazard burglary with firearms? The noble and learned Lord Herschell said that certainty of punishment was the only thing which would deter from this sort of crime. I would ask him whether penal servitude is not the most uncertain punishment which we have in our Code? If there is one thing certain about it, it is that the sentence pronounced will not be carried out? If the noble and learned Lord thinks that the certainty of punishment is necessary for these criminals, at all events the alternative for corporal punishment is, according to his own showing, the most inappropriate to meet the case. I also say that certainty is of the greatest possible importance, and that it should be inflicted as near to the occurrence of the crime as possible in cases of this sort; and there is no punishment so certain as a definite infliction of pain. The noble Lord who moves this Amendment has given his opinion as a Judge that this is not a deterrent punishment for crimes of this sort. As the noble and learned Lord Bramwell has said in former debates upon this subject, Judges and lawyers are not the best fitted to give opinions upon such a matter as this. I prefer to take the opinions of the Governors of our gaols, and they say that this is the only punishment for which a certain class of criminals will never come again if they can help it. What can be a greater proof of its fitness than that? Surely if a man will never come again for the punishment if he can help it, that is a proof that it is exactly what a punishment should be, namely, a deterrent from the crime. That is the general opinion of the Governors of our gaols. We know from the answers given to a Circular sent out by my noble Friend Viscount Cross, after the Garrotting Act had been tried 10 years, that with the sole exception of my noble and learned Friend Lord Esher, and perhaps Lord Coleridge, all the Judges, Magistrates, Recorders, and Chairmen of Quarter Sessions throughout the whole Kingdom — England and Scotland—are in favour of corporal punishment in special cases. I desire to draw your Lordships' attention to the inefficacy of our present mode of imprisonment. I allow that our prisons have been greatly improved during the last 20 years, and yet so inefficacious is that mode of punishment that, having carefully investigated the condition of matters in the prisons of Warwickshire and Staffordshire—the two counties with which I am connected—during the last winter, I can inform your Lordships that the number of first convictions in these two prisons is comparatively small; and considerably more than half of the prisoners are cases of re-commitment, and it is not for the second, or third, or fouth time only, but sometimes for the tenth or twentieth time that they have been re-committed to prison. Nothing can be more dangerous than an undeterrent system of punishment. You had better have no punishment at all; better agree with Lord Beaconsfield, when the abolition of flogging in the Army was proposed, he said, "Crime is gradually vindicating its own impunity." Undeterrent punishment is useless cruelty. Burglary, with murderous violence, will certainly continue if we go on with present punishments, only adding to them further terms of imprisonment. You may by long imprisonment keep men out of the way of doing harm. It is the idea of noble and learned Lords who oppose this measure

that by sentencing men to long terms of penal servitude you keep them out of harm's way. What a notion of punishment in a civilised country, to shut up criminals without making the slightest attempt at reclaiming them or using effective means of turning them out as useful citizens! Shut them up for life and they will do you no further harm, and let their wives and children be maintained in workhouses. The result will be to inflict upon ourselves the feeding, housing, and clothing of criminals for their lives, and to support in workhouses their wives and families. That is to say, we are to meet the crimes of robbers by robbing ourselves to a much greater extent, and to always keep some 20,000 able-bodied men who should be adding to the strength of the country shut up in prison instead of trying to reclaim them from crime to industry for the benefit of society. My Lords, I cannot believe that the arguments which are adduced to-day, as they were adduced last year, against this measure, will have more effect with your Lordships now than they had then, and I hope that the Bill which we have before us will be passed by a large majority.

THE EARL OF KIMBERLEY: I only wish to call the attention of the House to one point, and I shall do so in very few words. I do not wish to trouble your Lordships upon the arguments which have been adduced on one side or the other; but I do wish to make one remark upon our present system of penal servitude. I was astonished to hear my noble Friend opposite state that our system had been a failure, and I do not think he can have looked into the Report upon the Convict System lately as I have done or he would probably not have made that statement.

*LORD NORTON: I did not say it was a failure. I said it was uncertain in its operation.

THE EARL OF KIMBERLEY: I thought the noble Lord went a little further than that. I am glad my noble Friend has referred to that, because it gives me the opportunity of asking the House to consider what the result of our system of criminal punishment has been. Of course, I do not suppose for a moment that the diminution of crime has been, or ever will be, caused entirely by any system of the kind; but I do say that, concurrently with the introduction of our system, there has been the most extraordinary diminution in crime that has ever been seen in any country. Now, I have here the figures which are given in the last Report from the Convict or Prison Commissioners of England, and I could give your Lordships for every year the number of sentences for all serious crimes from 1836 down to 1888; that is, for a period of 52 years. What do your Lordships suppose the diminution has been during that period? The number of such sentences has diminished year by year from 3,611 in 1836 to 924 in 1888, and that, observe, concurrently with an increase of population in England and Wales not very far off double. Therefore, you have had a diminution in crime of 75 per cent. concurrently with an increase of population of 50 per cent. Then we have been told that our system of prison management is a failure; on the contrary, I think if there is one thing upon which we may congratulate ourselves more than another it is that our system of convict management has been a signal success. When my noble and learned Friend seems to regret that we have not gone back to our old system of shorter and sharper punishments, I say experience has shown us that our present system is more deterrent than the old system. If I really thought that this form of punishment—flogging—would be more deterrent than our present system, much as I should regret the re-introduction of a brutal system of punishment, I might consider that if our present system had failed, we ought to have recourse to flogging; but why we are to have recourse to flogging and bring it again into our penal system when we have the most indisputable proofs that without it we have had a decrease of crime, I am at a loss to conceive. It is not a merely temporary outbreak of a particular class of crime at a particular period which would justify the re-introduction of such a form of punishment. My noble Friend has said that whenever there is a serious outbreak of brutal crime, such as beating women, and others which have been mentioned, or wherever there has been an increase of it during even one year, we should re-introduce flogging. But if we were to do that we should break down the whole system which has been

laboriously built up now for so many years, and I am convinced that far from having a diminution of crime by the re-introduction of the old and bad system there would be an increase of crime. For that reason I do earnestly hope that the House will re-consider and reject a Bill which is really an attempt to re-introduce a system which was a failure, and which, I believe, will be a failure; a system which is wholly inconsistent with the whole spirit of our present Criminal Law.

LORD WATSON: There is one passage in the speech of the noble Lord who spoke from this side of the House upon which I desire to make an observation. I was somewhat astonished to hear that the Chairmen of Quarter Sessions and others in Scotland are all agreed in favour of some such measure as this Bill tends to promote. I am not aware that the Chairmen of Quarter Sessions in Scotland or the Commission of the Peace have anything to do with crimes of this description, which are entirely dealt with by the Public Prosecutor and the Supreme Criminal Court of the country. I can only say this, that I trust the noble Lord's statistics, which he gave with regard to England, have something more of substance in them than his statements with regard to the country from which I hail. So far as I know, the sentiment of those who have come in contact with this class of crime in Scotland is that there will be a feeling of satisfaction that there they are by the last clause exempted from the operation of the Act.

LORD COLERIDGE: I should not have addressed your Lordships but for the mention of my name and the reference which has been made in the course of the debate to an opinion which I am said by a noble Lord on the other side of the House to have given on this subject. I am sorry to say I do not know exactly what it is I am accused of having said or done, because one noble Lord said I had stated one thing, and another noble Lord stated that I had said another. They could not both have been accurate; but, as far as I can gather, the accusation is that some time ago I gave my opinion in favour of the deterrent effect of flogging. My Lords, that must have been a very long time ago; it must have been before I was appointed a Judge. I think I recollect the circumstances under which I made that statement, if statement it is to be called. I think it was in answer to a letter addressed to me by Lord Cross, and probably he will bear me out in my recollection that what I said was that I had at times seen cases in which even capital punishment seemed to be an inadequate *lex talionis*, or a reasonable public revenge for the intolerable sufferings which the criminals had inflicted upon their victims; and that, giving expression to a somewhat natural feeling of indignation, I thought I should have liked to give the criminals something of the misery and torture they had inflicted on others before they were hanged. But, my Lords, that was not intended to be given as a fixed sentiment, or as being really an expression of opinion upon a matter of legislation. It was a long time ago, and since that time if I have not become wiser I have become a great deal older. I must now frankly admit that if that ever was my opinion I have changed it, and I shall now vote with all my heart for the Amendment of my noble and learned Friend the Master of the Rolls, on the ground that I consider the Bill of the noble Earl would be retrograde, anomalous, and useless.

LORD MORRIS: I hope the House will excuse me for venturing to intrude in this debate; but as I have served for some years as a Judge in the Sister Country, I think it may be of use to express my own opinion in the matter. I regret to find myself entirely opposed to the noble and learned Lord the Master of the Rolls, not alone in the opposition which he has given to the Bill, but in regard to a good many of the reasons which he has assigned for that course. There appears to me to be a great deal of confusion of thought in his remarks, if I may say so with respect to him. Most of them would have gone to the complete abolition of all punishment. He began with a dissertation upon his objections to the infliction of personal pain. I do not very well understand what would be impersonal pain. I have always understood that all forms of punishment were certainly not meant for pleasure, but for pain. He wound up by stating that those who would support this Bill should be discredited as a hysterical party; and, as if for a living commentary upon that observation, the noble and learned Lord Bramwell, whom I do not look upon ex-

actly as having a hysterical nature, got up and supported the Bill. In my opinion, the hysteria and the sham sentimentality lies much more with those who would get rid of all punishment, and who suggest that we should adopt a grandmotherly mode of treating criminals, when anybody, with far less than the 22 years' experience which I have had, well knows there is nothing that will deter criminals but the fear of personal pain. As I understand, the noble Lord who has brought in this Bill introduced it at a time when this crime of burglary and firing at the police when endeavouring to arrest the burglars became so common that there was a sort of panic about it in society. Well, of course, at present that may have ceased, as the noble and learned Lord opposite said. But that statement may be open to this comment, that possibly this Bill which was then pending in your Lordships' House may have had some effect in the matter. That may be said to be a somewhat far-fetched observation, but I think it is not half so far-fetched as the remarks which I have heard offered against the Bill. Persons were no doubt hanged formerly for very slight offences, such as stealing a small amount of property out of a house, and it was found necessary to abolish capital punishment for those offences; but is that a reason for abolishing hanging in all cases? Is not the question, not whether this is a brutal punishment, but whether it is the punishment which alone will deter brutes? Punishment must be adequate for its object, which is to prevent crime; and I can only offer against what the noble Lord has said the observation that this will deter for the simple reason that there are persons who can be deterred by nothing else but the fear of physical bodily pain. That is well-known; and in cases where they will not be deterred by anything else, that must be the punishment resorted to. We have been asked by the noble and learned Lord why, in the case of attacks on women and young children, should not the criminals be flogged? I can only say that there is very good reason for it, and if he will bring in another Bill for that purpose I will second it. We all know that even in what is called society there are persons who are only prevented from annoying ladies by the fear of receiving summary chastisement, which is often administered in such cases without any law at all in the matter. That reminds me of a story which I heard from one of the most experienced police magistrates in Dublin, who had acted there for 40 or 50 years. There had been a man who had been continuously annoying a lady, an offence which sometimes occurs, I believe, on this side of St. George's Channel, and nothing would prevent him from continuing his offence. He had been frequently sent to prison for it, but he did not care about that. Fortunately, the lady had a brother, who, on the next occasion, inflicted summary chastisement upon the man. He was brought up for it before my friend the magistrate, who, as he was, of course, bound to do, read him a homily upon the impropriety of taking the law into his own hands, telling him that no provocation would justify an assault. After reading him that lecture, in vindication of the law, the magistrate told him that he would fine him 6d., and gave him a caution—

> "I told him," said he, "if the prosecutor annoys your sister again, and you give way to passion and again commit the same offence, if you are brought up before me, I will be obliged to double the penalty."

My Lords, I need not say that the lady was left unmolested for the future. The noble and learned Lord who sits below me says this Bill recites several Acts of Parliament. I think it recites only one, the 24th and 25th Vict., but several sections. All his observations have been addressed as if this were a punishment awarded by the Judge. It is a cumulative punishment, which is left in the discretion of the Judge, who, in the words of the section, "may in his discretion" add this flogging. But it is said this is a discretion which ought not to be left to him. I do not know whether it should be said to be left to them or imposed upon them; but as the law stands at present great discretion is left to the Judges. Is it not a wide range, for instance, in cases of assaults and manslaughter, where the discretion vested in the Judge extends from a fine of 6d. to penal servitude for life? Therefore, leaving the punishment in the discretion of the Judge is no objection to this Bill which the House will pay attention to. It is to be presumed that every Judge will perform his duty and will exercise

proper discretion; and this is only a power given to him which he will not object to if he is a sensible man, and, of course, all Judges are sensible men. I think Judges may be trusted not to inflict this punishment in a case where a man simply had an old pistol in his pocket unloaded, for which he had no ammunition, and which there was not the slightest probability of his using. This measure is not intended to be applied in exceptional cases, and in those cases where the punishment ought, in the opinion of the Judge, to be given, why should not it be awarded, unless we are to allow criminals to go unchecked and get rid of punishment altogether?

*LORD BRABOURNE: My Lords, I last year opposed this measure, and I wish shortly to state the reasons why I intend now to persevere in the same course. My noble Friend invites us to enter on the path of retrogression. What is the proof of that? Say for the moment that my noble Friend has introduced this Bill for the purpose of inflicting a particular form of punishment for this one offence. Several other noble Lords have immediately suggested that they are quite ready to carry it out in other directions. There is no logical reason why you should stop at this particular offence. My noble Friend Lord Norton stated that he objected to the punishment of penal servitude, because he said it was not a re-claiming punishment. Does my noble Friend believe that the lash is a re-claiming punishment? Is the man who has had his back lashed and who comes out of the punishment with every atom of self-respect flogged out of him re-claimed? Does the punishment have a deterrent effect upon him? We have been told that certainly there has been no increase, but that a decrease in these offences has occurred during the past year. I cannot endorse the view of my noble and learned Friend, whom we have all, I am sure, heard for the first time to-night with so much pleasure, when he says that the fact of this Bill being even threatened may have been efficacious. If the threat has been so efficacious, for goodness' sake let us be content with the threat, and not carry out the Bill as proposed by my noble Friend. But there is one other argument which I will venture to submit to your Lordships. When I heard the enthusiastic advocates of the lash cheering just now every allusion to this particular punishment, I asked myself whether, if we were a representative House, and those noble Lords had been representing popular constituencies, the same cheers from the same men would have been heard, and whether those men who cheered would wish to stand before any public meeting of their countrymen and say that they desired to enter upon a course of retrogression from the legislation which has characterised this country for years past. If there is one truth greater than another in this matter, it is that the gradual abolition of this barbarous punishment has been endorsed by the people; and I venture to say that if you are going to enter upon this course which is suggested by my noble and learned Friend, it would be wise, and it would be your duty, to make the fullest inquiry, conducted with the authority, and by the agency of the Government, before you venture upon such a path. I do not suppose that anything I can say is likely to influence your Lordships. The advocates of the lash, I know, are strong in this House. It is possible as time goes on that they may not be so strong. If you enter upon this path, where are you to stop? I do not pretend to discuss whether one punishment or the other is more deterrent; but of this I am certain, that the men who go out to commit burglaries do not weigh these things very nicely. The one thing that does prompt them to crime is the idea that they will not be detected. They will have that belief whatever punishment is to be inflicted upon them, and I, myself, believe that the infliction of this particular punishment will not have the effect of deterring criminals from this particular crime. I do sincerely hope that your Lordships will take into consideration the fact that there is no urgent public demand, or indeed any real demand, from any quarter for his Bill, and that you will not pass so retrograde a measure. It is a measure which, in any case, the House ought not to sanction without inquiry, and which it would be a great pity that your Lordships should pass.

On Question, whether the word "now" shall stand part of the Motion, the House

divided :—Contents 64; Not-Contents 17.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

PRESENTATION TO BENEFICES BILL.—(No. 13)

SECOND READING.

THE BISHOP OF LICHFIELD: My Lords, this Bill, for which I ask a Second Reading to-night, needs no lengthened explanation. Your Lordships are no doubt aware that there are a very considerable number of benefices in this country of which the advowsons are in the hands of parishioners or other persons; and on the occasion of a vacancy occurring there are frequently very unseemly circumstances attending the election of the new incumbent; in fact, the election is conducted and attended with all the excitement, if not with the bitterness, of a Parliamentary election. The Bill proposes that the parishioners or freeholders, or whoever the class of persons may be who have the advowson in each case or shall have the appointment, shall meet together for the purpose of electing a body of Patronage Trustees to exercise from time to time the right of presentation. It proposes that they shall have the power of filling up their numbers. After the completion of the election of Patronage Trustees all rights of the advowson owners to choose or present a minister shall cease to be exercisable by them, and shall be vested in and exercised by the trustees. On the occurrence of a vacancy in the benefice, they shall proceed to appoint an incumbent, and it shall be the duty of the chairman to summon a meeting of the trustees, when a minister will be chosen or nominated for presentation to the Bishop, so that they are to have the right of appointment when the living becomes vacant. The provisions of the Bill are so simple, its objects so plain, and the scandal—for it is nothing else than a scandal—which it is intended to remove is so great, that I think I may content myself by simply asking your Lordships now to give a Second Reading to the Bill.

Bill read 2ª (according to order), and committed to the Standing Committee for General Bills.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Hillingdon to the Standing Committee for Bills relating to Law, &c., for the consideration of the Partnership Bill, read, and ordered to lie on the Table.

PUBLIC TRUSTEE BILL.—(No. 19.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House.

TRUST COMPANIES BILL.—(No. 21.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Monday next.

COLONIAL COURTS OF ADMIRALTY BILL.—(No. 29.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Tuesday next.

House adjourned at Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 11th March, 1890.

PRIVATE BUSINESS.

TOTTENHAM AND FOREST GATE JUNCTION RAILWAY BILL.

(*By Order.*)

Order for Second Reading read.

*MR. THEOBALD (Essex, Romford): I beg to move that this Bill be read a second time upon this day six months. It is a Bill which proposes to construct a small line six miles in length, but it is objected to by very nearly all the inhabitants of the district, including the East Ham Local Board, the Walthamstow Local

Board, the Walthamstow School Board, the West Ham Corporation, the Leyton Local Board, the Vestry of Wanstead, the inhabitants of Leyton, the Trustees of the Bishop of St. Alban's Fund, the Rev. Henry Barber, the Commissioners of Sewers for the levels of Havering, Dagenham, &c., and numerous private individuals. The ground of opposition is that it is proposed to build it on a viaduct and to carry it over the roads by brick arches instead of by iron girders. Many of the best houses in the locality overlook Wanstead Flats, and the proposed railway, by intervening between Wanstead Flats and the space which is now preserved as an open space will cut off the view from the existing houses, and also prevent the free access of air to Wanstead and West Ham. If the line were constructed on the level or in a cutting there might have been no objection to it, but it is to be made on a high embankment which forms the principal objection to the Bill. The Local Authorities have been told that the promoters would give way in consequence of the opposition of the scheme, but I hear from the clerk of the East Ham Local Board that they have not given way, and therefore I move that the Bill be read a second time on this day six months.

MAJOR BANES (West Ham, S.): I rise for the purpose of seconding the Amendment, and I do so on behalf of the Corporation of West Ham. Thirty years ago West Ham was a marsh lying under high water mark with 15,000 inhabitants. It has since been intersected by a great sewer and by two railways, but, nevertheless it has grown and been incorporated, and now possesses a population of from 180,000 to 200,000, and enormous sums of money have been spent in endeavouring to overcome the disadvantage of being intersected by these railways and sewers. The only part of the borough adapted for residential purposes is that very portion which this Bill now seeks to disturb by the construction of a new railway running upon arches. I cordially second the Amendment for the rejection of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

Amendment moved, to leave out the word "now," and at the end of the Question to add the words "this day six months."—*(Mr. Theobald.)*

Question proposed, "That the word 'now' stand part pf the Question."

*MR. ROUND (Essex, N.E., Harwich): As my name is on the back of the Bill, I hope I may be allowed to say a few words. I think that the objections which have been urged by the hon. Members are such as can only be properly dealt with by a Committee upstairs where similar matters are usually dealt with by this House. Those who object to the details of the measure are petitioners against the Bill, and will, in Committee, have a full opportunity of getting their objections inquired into. I submit, therefore, that no reason has been given to justify opposition at this stage, but that the Bill should be committed in the usual manner.

*MR. F. FULTON (West Ham, N.): I trust that my hon. Colleague the Member for the Romford Division (Mr. Theobald) will not divide the House on the Second Reading. It is no doubt a Bill upon which there is a great difference of opinion, but all questions concerned in it can be better discussed in a Committee upstairs than upon the floor of the House.

MR. R. CHAMBERLAIN (Islington, N.): As my name appears on the Paper in opposition to the Bill, I wish to say that my only objection to it is that it will intersect certain common land and interfere with the enjoyment of public rights. As the promoters have agreed to make compensation for any such interference, I propose to withdraw my opposition.

*MR. SPEAKER: Does the hon. Member for Romford withdraw the Amendment?

*MR. THEOBALD: Yes, Sir.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time, and committed.

QUESTIONS.

IRELAND—EJECTMENT FOR NON-PAYMENT OF RENT.

MR. MARUM (Kilkenny, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that certain perpetuity leases, such as leases for lives renewable for ever, whether converted under the Renewable Leasehold Conversion Act or not, and fee-farm grants executed since the 1st of January, 1861, are evictable interests within the Ejectment for Non-payment of Rent Code, and are not in the nature of purchase transactions; whether his attention has been called to the statement of the present Chancellor of the Exchequer upon occasion of amendments to the Land Bill of 1887 (now "The Land Law (Ireland) Act, 1887") with the view to include such evictable interests within the Section 1 affecting leaseholders, that in a future contemplated Purchase Bill such leaseholds would be taken into favourable consideration; whether he is aware that several leaseholders of the above character have been evicted for non-payment of rent in Ireland; and whether in the proposed Land Bill such leaseholds will be included amongst the holdings to be provided with further facilities for the purchase of land, or otherwise favourably considered?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am advised that certain perpetuity leases referred to in the question are in the same position as regards eviction as leases for terms of years. The considerations referred to by the hon. Member appear to be equally applicable to long leaseholds as to the class of tenure mentioned. I have no information as to the matter of fact referred to in the third paragraph. As regards the inquiry in the last paragraph, the hon. Member will see the impropriety of my making a statement bearing on the Land Bill before its introduction.

MR. CRILLY (Mayo, N.): May I ask if the right hon. Gentleman will give any facilities for the passing of the Bill of the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) on this subject?

MR. A. J. BALFOUR: When that Bill comes on for discussion, I shall have to state the views of the Government upon it.

CATHOLIC JURORS.

MR. O'KEEFFE (Limerick City): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been directed to the fact that only three Roman Catholics were summoned on Grand Jury for County of Limerick at present Assizes, although its population, 142,000, are mostly all Catholics, and that one Grand Juror protested against such selection; and if the Government would intimate to High Sheriffs in Ireland to exercise their right of summoning properly-qualified tenant farmers and traders of counties?

MR. A. J. BALFOUR: The impanelling of Grand Juries is regulated by Statute. I have no information as to the religious belief of the persons impanelled. The Government would have no title to make the intimation to High Sheriffs suggested in the second paragraph.

MR. JOHN SLATTERY.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is it true that a letter written from Cork Gaol by Mr. John Slattery, as President of the South of Ireland Pig Buyers' Association, in favour of the proposed Cork, Fermoy, and Wexford Railway, was stopped by the Governor, and its publication disallowed; whether Mr. Slattery, being a bail prisoner, is entitled to publish such letters; and whether Mr. Davitt, Mr. Healy, and other bail prisoners in Richmond Gaol in 1883, were permitted to publish letters on topics far more controversial?

MR. A. J. BALFOUR: The General Prisons Board report that this question which appears in this morning's Paper without previous notice necessitates a local reference. They are therefore not in a position to furnish a reply to-day.

LORD ASHBOURNE'S ACT.

MR. MAURICE HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the destruction of woods and plantations which have in many cases followed the

sale of landlords' estates in Ireland under Lord Ashbourne's Act; whether it is the fact that in consequence of a recent sale in the County Cork (Lord Egmont's estate), an extensive tract of country will be denuded of timber, the trees having been sold by the landlord to a timber merchant; and whether, in any further measure dealing with the question of land purchase in Ireland, provisions will be introduced to prevent the general destruction of Irish woods and plantations?

MR. A. J. BALFOUR: My attention has been called to the serious question raised in the first paragraph. I am informed that 131 acres have been sold to contractors, some before, some after, negotiations for sale were commenced. Forty-five acres are still unsold.

MR. M. HEALY: Is the right hon. Gentleman aware that what has occurred on Lord Egmont's estate has also occurred on other estates; and is there any danger of the practice extending?

MR. A. J. BALFOUR: I have not heard of any other instance on a large estate.

DISPENSARY DOCTORS.

MR. O'HANLON (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a dispensary doctor has the right to order for his dispensary washstands, gas fittings, and other furniture; and whether the Guardians are bound to pay the amount when handed in?

MR. A. J. BALFOUR: A dispensary medical officer has no right to order for his dispensary gas fittings and other furniture without the authority of the Board of Guardians, with whom the responsibility rests of providing a dispensary with the necessary fittings.

MASTERS OF WORKHOUSES.

MR. O'HANLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the master of a workhouse can prosecute inmates for insubordination, without the assistance of a solicitor, before the magistrates at Petty Sessions?

MR. A. J. BALFOUR: The Local Government Board have been advised that if the Guardians of a Union direct the summons to Petty Sessions to be brought in the name of one of their officers he can personally conduct the prosecution; but if the Guardians are themselves named as complainants in the summons they must appear before the Court by Attorney.

LONDON SEWAGE.

MAJOR RASCH (Essex, S.E.): I beg to ask the President of the Local Government Board whether he is aware that by the Tender for the removal of Sewage Sludge, page 8, section 13, issued by the London County Council, the contractor is empowered on the authority of the engineer to deposit sewage in places other than the mouth of the Thames, presumably at his discretion, on the Essex Coast; and whether the Local Government Board will permit such action on the part of the London County Council?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am informed that the London County Council, in advertising for tenders for the removal of sewage sludge, do not contemplate that the sludge shall be discharged into the sea at points nearer to the shore than the places where it has been discharged hitherto from the vessels belonging to the Council. The object of advertising for tenders is, that pending the consideration of the whole question of the disposal of the London sewage, temporary arrangements may be made for the removal of the sludge without the large expense of providing new vessels for the purpose. It was considered necessary to provide in the tender for the discharge of the sludge at such points as the engineer of the Council should indicate; but the places named will be subject to the direction of the Trinity House, and there will be no change in this respect from the course pursued throughout the last six months.

ALLEGED RIOTING AT ROHTAK.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether he will cause inquiries to be made as to the circumstances under which the police, in September last, fired upon the Hindu population at Rohtak, when one Hindu was killed and 12 other Hindus were severely wounded; and especially whether the

police officer giving the order to fire has been called upon for, and has given, any explanation of his reason for firing; and whether the Secretary of State will call for a full Report of the whole facts, including the origin of certain alleged rioting arising out of the desecration of Hindu Temple Cars, in August and September last; the arrest, and summary trial, of a large number of persons; the conviction and imprisonment, by order of Major Renwick, Deputy Commissioner, of 35 of the accused, and the subsequent reversal of such conviction by the Court of Appeal, and the liberation of the imprisoned men?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The question of the hon. Member has already been sent to India, and on the receipt of a reply to his various queries the Secretary of State will communicate the result to him. All such riots as those at Rohtak are invariably inquired into by the Local Governments as a matter of course.

TYPHOID FEVER AMONG THE TROOPS IN INDIA.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the Secretary of State for War whether typhoid fever has been very prevalent amongst officers and men of the British troops in India during the years 1887, 1888, and 1889; whether he can state the number of deaths for each of those years; whether the deaths have been most numerous amongst the young soldiers; and whether any steps are being taken to stop the ravages of this preventable disease?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Typhoid or enteric fever has been very prevalent in India during the last three years, and was specially fatal last year. The deaths from this disease were 247 in the year 1887; 267 in the year 1888; and 429 last year, as to which year however, the figures must be regarded as appropriate only. The deaths have been most numerous among young soldiers. All possible precautions are taken to prevent the insanitary conditions which are believed to induce the disease. Cantonments and barracks in the neighbouring towns and bazaars are strictly supervised, and the purity of the water, milk, and food generally is secured by all means practicable. During the last year a Special Commission investigated the sanitary state of Lucknow and Meerut with particular reference to enteric fever. The liability of young soldiers to this disease is a principal reason for not allowing men under 20 years of age to proceed to India.

COLONIAL AND INDIAN POSTAL CHARGES.

MR. WATT (Glasgow, Camlachie): I beg to ask the Postmaster General whether any representations have been made by either Colonial or Indian Governments, expressing a desire for a reduction of the postal charges to those Colonies; whether he is aware if it is a fact that the postal services of the colonies now result in heavy losses to them; and, whether it is competent for the Government to reduce the ocean postal charge to one penny per letter without retiring from the Postal Union, and thus destroying existing postal arrangements with other countries?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In answer to the hon. Member I may say that no representations have been made to me, either by Colonial or Indian Governments, expressing a desire for a reduction of the postal charges to the Colonies or to India. I am informed that the postal services of the Australian Colonies now result in heavy losses to them, amounting last year to not less than £380,000, and in the case of Canada I see from a recent Report of the Dominion Postmaster General that there is a loss on postal services of over 700,000 dollars, or more than £150,000 a year. Although the question has not yet been definitely decided there is great reason to doubt if it would be competent for this country to reduce its ocean postal charge to its colonies to one penny per letter without withdrawing from the Postal Union and thus destroying all the existing postal arrangements with other civilised countries.

INTERNATIONAL MONETARY CONFERENCE.

MR. HOYLE (Lancashire, S.E., Heywood): I wish to ask the First Lord of the Treasury if he is aware that there is

a widespread and increasing public opinion in favour of the Motion in my name which stands as the first on the Paper to-day. There have been a large number of petitions presented in favour of it, and I wish to know from the right hon. Gentleman if he does not think it right to meet that public opinion which has found expression in public meetings, and by the action of Chambers of Commerce, by giving an early day for the discussion of the question; whether the evils which have resulted from the divergence in the relative volume of silver and gold following the monetary changes which took place in 1873 cannot best be dealt with by a conference to consider whether a Bi-metallic system cannot be established by International agreement in the interest of all the nations concerned?

SIR W. HOULDSWORTH (Manchester, N.W.): Is the right hon. Gentleman aware that some 70 or 80 petitions have already been presented to the House in favour of this Resolution, and that there is a widespread desire among the commercial and agricultural interests in favour of the discussion of the subject?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have not followed the petitions which have been presented to the House, but I have no doubt that a great many petitions have been received. But I am aware that there is an organisation which affords facilities to hon. Members and others interested in the question for representing their views to the House. In answer to the question of the hon. Member opposite I trust, seeing that the Session is still young, that he will avail himself of the opportunities which will be afforded to him by the Ballot for securing a day for the consideration of the subject. Unfortunately I am not in a position to afford it any portion of the small amount of time devoted to the business of the Government. I am sure that if I were to do so I should only accumulate on myself claims that it would be utterly impossible for me or the House to entertain. I do not think that the cause which the hon. Gentleman advocates will suffer from the slight delay which is now imperatively imposed.

ELEMENTARY SCHOOLS—THE TEACHING OF ARITHMETIC.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been directed to the following resolution passed by the Associated Chambers of Commerce at their Exeter meeting:—

"That, in the opinion of this Association, the place held by decimals in the present system of teaching arithmetic materially impedes the introduction of a decimal currency, weights, and measures, by giving an idea of their difficulty it is therefore highly desirable that terminating decimals should be removed from the sixth to the third standard in the curriculum of elementary schools, so that they should follow the four simple rules;"

and whether any steps have or will be be taken in accordance with the recommendation of the Associated Chambers of Commerce?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Terminating decimals could be easily taught in the third or fourth standards so far as addition and subtraction are concerned, and would be very useful if they entered into the common arithmetical questions of everyday life, but anything further would involve great difficulty; nor does it seem expedient entirely to separate terminating from recurring decimals. In the Latin Union of coinage, weights, and measures, a series of mental problems within the range of the scholar's knowledge are always at hand, and the rules can be easily taught on sound principles; but this is not the case in England.

THE ALLOTMENTS ACT.

MR. SEALE-HAYNE (Devon, Ashburton): I beg to ask the President of the Local Government Board how many Sanitary Authorities have provided allotment grounds under "The Allotments Act, 1887," and the total acreage of such grounds?

*MR. RITCHIE: I have not the information necessary to enable me to give a statement as to the number of Sanitary Authorities that have provided allotment grounds under the Allotments Act, 1887, and the total acreage of such grounds. If, however, it be the object of the hon. Member to ascertain the effects of the Act, I may say that such a

statement would be entirely misleading. The object of the Statute was to provide a means for securing the provision of allotments where there was a failure by voluntary agreement to obtain such provision. Those who are interested in this question must be well aware that, since the passing of the Act, the cases where such provision has been made voluntarily are very numerous.

In answer to a further question by Mr. SEALE-HAYNE,

*MR. RITCHIE said: It is hoped that by voluntary arrangements sufficient provision will be made for allotments to render it unnecessary to apply the compulsory powers.

AMERICAN CATTLE.

MR. BARCLAY (Forfarshire): I beg to ask the Minister for Agriculture, in view of the scarcity of store cattle in this country, if he will take measures to ascertain authoritatively whether the cattle in the Western States of America are free from contagious disease; and, if so, will he further inquire whether such cattle might not be conveyed to this country without risk of coming in contact with animals in the Eastern States among which disease may exist?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincoln, Sleaford): It would not be practicable for the Board of Agriculture to institute an inquiry in the Western States of America with a view to determine whether the cattle of that extensive territory were free from infectious disease. It is well-known that about two years ago pleuro-pneumonia existed to an alarming extent in Chicago and the surrounding districts, and that in the State of Illinois alone 1,425 cattle were found affected, quite irrespective of more than 1,000 head of cattle found diseased in the distilleries of Chicago. In view of these facts, it would seem hardly probable that the disease can have been entirely eradicated from the Western States. As regards the second part of the question, it would appear to be very undesirable that the Board of Agriculture should accept the responsibility of suggesting the means by which healthy cattle are to be conveyed through infected districts abroad, in order that they may be exported to this country, more especially as the Government intend to proceed with legislation.

POLLUTION OF LOCH LONG AND LOCH GOIL.

MR. BRADLAUGH: I beg to ask the President of the Board of Trade in reference to the contemplated proceedings as to the pollution of Loch Long and Loch Goil whether the indemnity required by the Board of Trade from the residents complaining is unlimited in amount, and whether it would be sufficient to require a guarantee for costs limited in amount to, say, £250?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The indemnity in this case must of necessity be unlimited, as the intention is to protect the general taxpayer and to prevent the expense of any proceedings that may be taken for the benefit of private individuals being charged to public funds. The sum named is not likely to cover costs if legal proceedings are commenced.

THE LENZIE BOARD SCHOOL.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether he is aware that the school fees actually collected for Lenzie Board School amounted to £930 in 1887-8, and to £900 in 1888-9, whilst there was only an average attendance, during those years, of 200 children; whether his attention has been called to Return 84, from which it appears that the average attendance for the four weeks ended 21st February last is given as 151·6, that the school fees, based on such average attendance, amount to £6 13s. weekly, or to under £350 per annum of 52 weeks, as against £900 truly received, and that "the school does not earn grants above Standard VI.," and the column for attendance "over Standard VI." is left blank; whether it is allowable to exclude subjects taught over Standard VI. and specific subjects, in making the Return of school fees required from School Boards, and in calculating the 9d. per week limit; whether this course had the sanction of the Scotch Education Department; and whether the Comptroller and Auditor General was informed that the amounts were made up on that principle. The

hon. Member also asked whether it is the case, as stated in page 12 of the Sixteenth Annual Report by the Accountant for Scotland to the Scotch Education Department, for year ended 15th May, 1888, that the school fees received for Lenzie Board School for that year amounted to £944 15s.; whether it is the case, as stated in the Report of the Committee of Council on Education in Scotland, for year ended 30th September, 1888, page 383, that the average attendance at that school for the year was only 176, showing an income of £5 7s. 4d. per annum per pupil in average attendance; and if he will explain how, in such circumstances, Lenzie Board School is on the list of State-aided schools in receipt of Government grant, notwithstanding the provisions of the Statute limiting such grant to schools where the school fees do not exceed 9d. per pupil per week?

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. MOIR T. STORMONTH DARLING, Edinburgh and Aberdeen Universities): The hon. Member has two questions on the Paper relating to Lenzie Academy, which he will perhaps allow me to answer jointly. The fees collected in that school amounted, according to the Accountant's Report, to £950 14s. 8d. in 1887, and to £944 15s. in 1888. But this does not agree with the Return made to the Department, and doubtless includes the fees paid in the Upper Department of the School, which is quite separate, and for which no grants are claimed. The average attendance, according to the Returns to the Department was 176 in 1888 and 201 in 1889. The Department had some doubt as to the scale of fees being in conformity with the Code, and thought it necessary to inquire carefully into the matter. But the combination Board was able to show that the average fee in the grant earning Department, calculated on the basis laid down by the Public Accounts Committee, was under 9d. a week. The eligibility of the school for annual grants must be determined upon the Returns for the school year, and not for the four weeks included in the Return (No. 84) for which the hon. Member moved. But the Board has been warned that the conditions as to fees must be strictly interpreted, even should this involve loss of grant to the school. There is nothing to prevent school managers from excluding the fees paid over the Sixth Standard from these Returns to the Department if no grant is claimed above that limit. All the data upon which the grant was calculated and paid, and the correspondence connected with it, have been submitted to the Comptroller and Auditor General.

SCHOOL FEES.

MR. CALDWELL: I beg to ask the Lord Advocate whether, in Return 84, the "scale of fees per week" are per week the school is open, or the amount of fee per annum divided by 52; and whether the school fees are payable weekly, monthly, or quarterly?

MR. M. T. S. DARLING: In obtaining information for the Return from the School Boards concerned, the Department asked for the weekly fees, as this seemed to be what was desired by the hon. Member, and the fees have been entered exactly as they were supplied to the Department. It would, however, appear that quarterly fees are charged in most of the schools, and that, in order to comply with the request for weekly fees, the quarterly fees have been divided by 11 or 12. But I cannot say with certainty what number of weeks each Board considers the quarterly fee to cover.

SWAZILAND.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Under Secretary of State for the Colonies whether he can now state when Sir Francis de Winton's Report on Swaziland will be in the hands of Members?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Her Majesty's Government are still in communication with the High Commissioner for South Africa with regard to certain points raised in the Report, and no day can be named for presenting it, but it is hoped that it will be possible to give it to Parliament shortly.

BALBRIGGAN HOSE.

MR. PETER M'DONALD (Sligo, N.) I beg to ask the President of the Board of Trade whether his attention has been called to the following article in the *British Trade Journal*, namely:—

"A French firm are now exporting their own manufactures with an Irish name. Balbriggan underwear and hosiery has long possessed a fame unapproached by any other description. Its success has led French houses to make full lines of hosiery in all grades and qualities, and to stamp them as 'Balbriggan;'"

and whether the manufacture so carried on by this French firm is in contravention of the Act of 1887, in case the goods so stamped are imported into this country?

*SIR MICHAEL HICKS BEACH: This is a subject which would, I apprehend, be governed by Section 18 of the Merchandise Marks Act. The interpretation of the section as applied to any particular case is a matter upon which I cannot express an opinion, and must rest with the Courts.

THE DIRECTOR OF CONTRACTS.

MR. WOODALL (Hanley): I beg to ask the Secretary for War whether the Director of Contracts had, in 1886, any responsibility for the technical details relating to proof and tests for steel which were included in the contract for guns, beyond seeing that they exactly correspond with those furnished to him by the technical advisers of the Department?

*MR. E. STANHOPE: I think that the statement contained in the question of the hon. Member correctly defines the responsibility of the Director of Contracts in 1886.

PARISH VESTRIES.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the President of the Board of Trade to what authority the ratepayers of a vestry should appeal, in a case of dispute with their clerk, as at Newington; and if it is legal for one vestry to take contracts from another, as in the case of Newington and St. George-the-Martyr, Southwark?

*MR. RITCHIE: In the case of the Parish of Newington the members of the vestry are elected by the ratepayers. If the dispute is between ratepayers and the clerk, they should appeal to the vestry. If it is between the vestry and the clerk, the vestry have the power in their own hands, as the vestry clerk holds office at their pleasure. As regards the power of vestries to make contracts with one another, Section 149 of the Metropolis Management Act, 1855, gives a general power to vestries in the Metropolis of entering into such contracts as they may think necessary for carrying the Act into execution. The Local Government Board have no jurisdiction as to the contracts entered into between the parishes referred to. I have no information with respect to the contracts, but assuming that I had, I could not undertake to express any opinion as to their legality.

STRIKE OF RAILWAY SERVANTS.

MR. CUNINGHAME GRAHAM: I beg to ask the President of the Board of Trade if it is the case, as alleged, that owing to the strike of platelayers on the North British Railway, the travelling public is in some danger on that line, especially near the Goatbridge district; and if he proposes to take any action to avoid accidents?

*SIR MICHAEL HICKS BEACH: I have no information on this matter, The working of railways is entirely in the hands of the companies, and the Board of Trade have no power of interference.

*MR. C. GRAHAM: As a strike is pending, and there may be danger to the public, owing to the action of the platelayers, will the Government interfere on behalf of the public?

*SIR M. HICKS BEACH: I have no authority to interfere, and if I did so I would be interfering with the responsibility of the Railway Companies.

THE BUDGET.

MR. O'HANLON (Cavan, E.): I beg to ask the Chancellor of the Exchequer on what day he will bring in the Budget?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I do not propose to make the Budget statement before Easter, and I shall have to confer with my hon. Friend the First Lord of the Treasury as to the exact date.

THE BERLIN CONFERENCE.

MR. CUNINGHAME GRAHAM: I beg to ask the First Lord of the Treasury if it is contemplated to send to the Berlin Conference a representative of the

working classes, in order that the expression of opinion from this country be not confined exclusively to officials and statisticians?

MR. W .H. SMITH: It is not intended to appoint as Her Majesty's representatives representatives of any particular class, but to select persons fully qualified to consider the important questions which will be submitted to the Conference.

REVISION OF THE STATUTES.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the First Lord of the Treasury when the Committee will be nominated on the Revision and Consolidation of the Statute Law; whether he can state to the House the names of the members of such Committee; and, whether he is aware that Bills will be immediately before this House from another place which it is desirable should be considered by such Committee?

*MR. W. H. SMITH: My Colleagues who are charged with the duty of selecting Committees will at once put themselves in communication with hon. Members opposite, in order that no time may be lost in the nomination of a Committee.

MR. T. M. HEALY: Will the Government suspend the sale of the existing 7s. 6d. volumes of the Statutes, seeing that a large number of them are proposed to be repealed this Session?

*MR. HOWELL: Is it not the fact that two large volumes (Vols. IV. and V.) are awaiting the passing of a Bill before they can be issued?

*MR. W. H. SMITH: I am not able to answer that question. As to suspending the sale of the Statutes in force, I apprehend that it would be improper to refuse to supply the public with them.

TURKISH AND EGYPTIAN LOANS.

MR. MONTAGU: I beg to ask the Chancellor of the Exchequer whether, in case of the Conversion of Turkish or Egyptian Loans, he will take steps to convert or pay off the Turkish four per cent. loan, guaranteed jointly by England and France, of which bonds to the extent of nearly two millions sterling have been drawn for repayment, but on which this country and France still pay this high rate of interest?

*MR. GOSCHEN: Any announcement made with regard to a proposed operation in connection with conversion, if made before the time is ripe for an actual decision, seems to me to be better avoided in view of the speculation which is likely to take place according to the terms of that statement. I will only point out to the hon. Member that such an operation can only be carried out jointly with France. The consent of France to any scheme of conversion would be indispensable.

TIME FUSES.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War if any person received a reward for the invention of time fuzes from Government, and has Lord Armstrong received anything for these fuzes from Government?

*MR. E. STANHOPE: There were extensive financial transactions with the Elswick Company in regard to the introduction, 30 years ago, of the Armstrong system generally, of which time fuzes formed a part; but since the introduction of that system no reward has been paid to any person for time fuzes.

MR. C. GRAHAM: Was not the person who received the reward ten years ago either Lord Armstrong or a representative of that firm?

*MR. E. STANHOPE: Yes, I suppose that was so.

RELIGIOUS DISABILITIES BILL.

MR. CAMPBELL-BANNERMAN (Stirling Burghs): May I ask whether an opportunity can be given for the discussion of the Religious Disabilities Bill, which stood first on the Paper on Wednesday last, but could not be taken owing to the action of the Government with regard to the debate on the Report of the Special Commission?

*MR. W. H. SMITH: I cannot undertake to offer an opportunity for the discussion of a Bill which is not a Government measure. I may repeat that the Session is still young, and I hope the right hon. Gentleman may have another opportunity in the course of the Session of taking the opinion of the House on the Bill in question.

THE MORFA COLLIERY ACCIDENT.

MR. S. T. EVANS (Glamorgan, Mid.): I wish to ask the Home Secretary whether he can state the number of lives lost in the Morfa Colliery disaster; how many bodies have been recovered; and whether he has any information as to the cause of the explosion?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I regret to say that when I left my Office I had not received the telegrams I asked for this morning, which would give the hon. Member the information he seeks. I regret very much to say that over 100 men are in the mine, and the number of deaths is still uncertain.

MR. S. T. EVANS: Is the right hon. Gentleman aware that one of the explorers, in his efforts to save his comrades, has lost his life; and can he do anything to obtain pecuniary assistance for the relatives of the deceased?

MR. MATTHEWS: I must ask for notice of the question.

MR. S. T. EVANS: Perhaps the right hon. Gentleman will allow me to repeat my Question as to the facts to-morrow.

METROPOLITAN VESTRIES, &c. (EMOLUMENTS OF OFFICERS).

Return ordered—

"Of Salaries, Fees, or other Emoluments received by the Officers and their Assistants in the employment of the various Metropolitan Vestries and District Boards and the Woolwich Local Board of Health, during the year ended on the 25th day of March, 1889, in the discharge of their official duties under the Metropolis Management Acts, or of any duty imposed on them by any other Public or Local Act, in the following form;—

Name of Officer or Assistant. 1.	Office held by the Officer or Assistant. 2.	Nature of Duties. 3.	Acts under which remuneration was paid. 4.	Amount of Salary. 5.	Amount of Fees. 6.	Amount of other Emoluments. 7.	Total. 8.
				£ s. d.	£ s. d.	£ s. d.	£ s. d.

—(*Mr. Webster.*)

INTOXICATING LIQUORS LICENCES (IRELAND).

Returns ordered—

"Of the number of Licences for the Sale of Intoxicating Liquors issued in each City, Municipal Borough, and Petty Sessional Division, respectively, in Ireland, in the year ending 31st day of December, 1889.—

(1.) Persons licensed for sale of beer, spirits, &c., for consumption on or off the premises;

(2.) Persons licensed for the sales of wine for consumption on the premises, but not beer or spirits;

(3.) Persons licensed as spirit grocers having the spirit Licence, and also the beer retail Licence for consumption on the premises;

(4.) Persons licensed as spirit grocers having the spirit Licence for consumption off the premises only;

(5.) Persons having the beer retail Licence for consumption off the premises only;

(6.) Persons licensed as wholesale beer dealers only;

(7.) Persons licensed as spirit dealers (wholesale) only;

(8.) Persons holding any other description of Licences for the sale of Intoxicating Liquors, and not included in the foregoing."

"And, of the number of Licences issued for every thousand of the population and in each City, Municipal Borough, and Petty Sessional Division, respectively—

	Name of City, Municipal Borough, or Petty Sessional Division.
	Population, Census 1881.
	Persons licensed for the sale of beer, spirits, &c., for consumption on or off the premises.
	Persons licensed for the sale of wine for consumption on the premises, but not beer or spirits.
	Persons licensed as spirit grocers having the spirit Licence, and also the beer retail Licence for consumption off the premises.
	Persons licensed as spirit grocers having the spirit Licence for consumption off the premises only.
	Persons having the beer retail Licence for consumption off the premises only.
	Persons licensed as wholesale beer dealers only.
	Persons licensed as spirit dealers (wholesale) only.
	Persons holding any other description of Licence for the sale of Intoxicating Liquors,
	Total number of Licences issued.
	Number for each thousand of the population.

—*(Mr. Johnston.)*

STATUTE LAW REVISION BILL [LORDS].

Bill read the first time; to be read a second time upon Monday next, and to be printed. [Bill 179.]

MOTIONS.

PLACES OF WORSHIP ENFRANCHISEMENT BILL.

On Motion of Mr. Evans, Bill for the Enfranchisement of Places of Worship, ordered to be brought in by Mr. Evans, Mr. Lawson, Mr. Abraham, Mr. Randell, Mr. Alfred Thomas, and Mr. Halley Stewart.

Bill presented, and read first time. [Bill 180.]

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) AMENDMENT BILL.

On Motion of Mr. J. B. Balfour, Bill to amend "The General Police and Improvement (Scotland) Act, 1862," ordered to be brought in by Mr. J. B. Balfour, Mr. Hozier, Mr. Caldwell, and Mr. James Smith.

Bill presented, and read first time. [Bill 181.]

HOP INDUSTRY COMMITTEE.

Ordered, That Sir Wilfrid Lawson be discharged from the Select Committee on Hop Industry.

Ordered, That Mr. Thomas Henry Bolton be added to the Committee.—*(Mr. Arnold Morley.)*

MERCHANDISE MARKS ACT, 1887.

Ordered, That the Select Committee on Merchandise Marks Act, 1887, do consist of Seventeen Members.

The Committee was accordingly nominated of,—Baron Henry de Worms, Colonel Hill, Mr. Gray, Mr. Hozier, Colonel Makins, Mr. Giles, Mr. Frank Hardcastle, Mr. Mundella, Mr. Colman, Mr. Broadhurst, Mr. Hoyle, Mr. M'Ewan, Mr. Richard Chamberlain, Mr. Jasper More, Mr. Blane, Mr. O'Keeffe, and Mr. Howard Vincent.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—*(Mr. Howard Vincent.)*

ORDERS OF THE DAY.

SPECIAL COMMISSION (1888) REPORT.

[ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Main Question [3rd March],

"That, Parliament having constituted a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons, and the Report of the Commissioners having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matters referred to them; and orders that the said Report be entered on the Journals of this House."—*(Mr. William Henry Smith.)*

Main Question again proposed.

Debate resumed.

(4.5.) LORD R. CHURCHILL (Paddington, S.) rose for the purpose of continuing the debate.

*MR. DE LISLE (Leicestershire, Mid): Mr. Speaker, I rise to a point of order. I want to ask you, Sir, whether, a Division having taken place last night, and my name being first on the Paper, it is not now my privilege to address this House?

*MR. SPEAKER: The hon. Gentleman did not move the adjournment of the debate, and I understand the noble Lord wishes to speak on the Main Question.

LORD R. CHURCHILL: I was going to say I was very desirous to make some remarks to the House on the Main Question before it was complicated by the additions, one of which seems to be very wise and another seems to be very much the reverse. The House may not be aware that I have watched these proceedings, which we are now asked to sanction by a final vote to-night, with sorrow and apprehension from their inception in 1888 down to the present day; and, Sir, that sorrow and that apprehension have grown deeper and stronger as the proceedings have been themselves developed. We are asked by the First Lord of the Treasury to give a final sanction to the proceedings which commenced by the passing of the Special Commission Act by adopting the Resolution which the right hon. Gentleman has submitted to the House. But, Sir, before I can give such a sanction, I feel bound to consider, and to ask the House to consider, what was the nature of those proceedings we are called upon to approve. Sir, I find, to begin with, a general assertion, that these proceedings from beginning to end are tainted and vitiated, thoroughly and hopelessly tainted and vitiated, by their utterly un-Constitutional character. If that assertion is true—and I trust to adduce certain arguments which I think it will be difficult to reply to—I think it is an assertion which ought to commend itself especially to hon. Gentlemen on this side of the House who have arrogated to themselves of recent years, and I am prepared to assert with much justice, the title of the Constitutional Party. May I be allowed to give a brief re-capitulation of the nature of the proceedings we are asked to sanction? In 1888 Her Majesty's Government came to the conclusion, and finally decided, that it was absolutely necessary to ascertain the truth of certain charges and allegations which had been made against certain Members of this House, and for this purpose Her Majesty's Government decided that they would discard and set aside the ordinary tribunals of the land. Her Majesty's Government must have held that in these charges and allegations, and in the manner in which they were put forward, there was a *primâ facie* case against the parties incriminated. I lay down the thesis that where a Government holds that there is a *primâ facie* case against parties incriminated on criminal charges it is the duty of the Executive Government to proceed by a criminal prosecution in the ordinary manner. But if, on the other hand, there was, in the opinion of the Government, a *primâ facie* case to justify proceedings against the parties, I say *à fortiori* there must have been a *primâ facie* case to justify the Government in asking the House to constitute an extraordinary tribunal. If there was no *primâ facie* case for a prosecution there could not be a *primâ facie* case to justify Parliament in the creation of an extraordinary tribunal. Therefore, what does it come to? It comes to this, that the first step of a British Government, a Government proud of being a Constitutional Government, the first step which they take in order to ascertain the truth of criminal charges against individuals, ay, and not only against individuals—and this will be to a great extent the burden of my remarks—but against political opponents, is to discard and set aside the ordinary Law Courts of the land. What was the second step? The second step was that the Government decided to constitute by means of an Act of Parliament a Special Commission, consisting of three Judges of the land, and these Judges were to accumulate the functions of Judge and jury for the purpose of trying individuals on a criminal charge. There, again, what does that mean? It means this—that they decided to place political opponents on their trial on a criminal charge without giving to those political opponents the protection which a jury is supposed to give. I attach enormous importance, and I cannot help attaching

enormous importance, to this matter, that in all these concerns a British Government is dealing with political opponents; because the House will see, both sides must see, that what one Government may lawfully do in dealing with political opponents, another Government may do with equal legality. What was the third step in these proceedings? The third step was, having compelled these individuals, these political opponents, to stand their trial on a criminal charge, the Executive of the day proceeded themselves to nominate the members of that tribunal. Sir, the meanest criminal in the land, when placed upon his trial on a criminal charge, has a voice, and a large voice, in the selection of the jury. He has a considerable right of challenge; but in these proceedings a British Government allowed the individuals placed on their trial, individuals who were political opponents, no voice in the selection of the jury, and no right of challenge. But perhaps it may be urged, I think most futilely urged, that this was not placing individuals on their trial on a criminal charge; suppose you tell me it was in the nature of an arbitration, then I ask, in the whole history of arbitrations did you ever hear of an arbitration where one of the parties had no voice whatever in the selection of the arbitrators? No, Sir; the third step was this—that the Executive Government of the day, by the weight of a Party majority, established on a tribunal to try criminal charges their own nominees. There was a fourth step. It was, indeed, a natural consequence of the three former steps. The Government, by forcing these proceedings through the House, inflicted, in anticipation of the finding, a heavy penalty upon their political opponents in the shape of a heavy pecuniary fine. The House will realise that much injustice, gross injustice, was the consequence of such an Act; because by the offer which the Government had made to the Irish Party in 1887 to institute a criminal prosecution against the newspaper which had made the charges in the name of their own officers and at the public expense—that was a perfectly fair offer, and I greatly regret it was not accepted by the Irish Party—by making that offer the Government indicated clearly that in their view at that time it was not fair or right that in order to ascertain the truth of these matters the Irish Party should be put to considerable and heavy cost; but by the procedure under your Special Commission Act you have practically levied upon your political opponents a large pecuniary fine, which amounts, I am informed, to something like £40,000. Now, I am arguing this matter on Constitutional grounds alone. Your first step was to discard the tribunals of the land appointed to find out the truth of criminal charges; the second step was to institute a special tribunal, in which you cumulated on three individuals the functions of both Judge and jury; the third step was to allow the persons implicated no voice in the constitution of that tribunal; and the fourth step was to levy upon them a very heavy pecuniary fine. I fearlessly assert, and I defy any lawyer in the House to contradict me, that for not one of those steps can you find any precedent or parallel in English history, or anything even approximating to a precedent. We are therefore asked to give a final sanction to-night, by agreeing to the Motion of the First Lord of the Treasury, to a proceeding unique, unprecedented, and utterly un-Constitutional. But that is not all; I wish it were. I have sketched the nature of the procedure which we are called upon to approve; I must also refer, on the same Constitutional grounds, to the methods by which this procedure gained the sanction of the Legislature. At first the Government offered the Special Commission as a free gift to their opponents, to be taken or to be rejected according to their will. Now, this did not for a moment destroy the un-Constitutional character of the proceeding; but it undoubtedly imparted a gloss of fairness to an unprecedented proposal. But when those who were behind Her Majesty's Government, when their organs in the Press perceived, or thought that they perceived, that the Irish Party quailed before the investigation which was proposed—and if they had quailed I should not have been surprised, because I declare that in the last century or century and a half no public men have been exposed to such a trial and test as the hon. Member for Cork and his Colleagues have been exposed to—when those behind the Government imagined that

the Irish Party quailed before the proposed proceeding they put such pressure upon the Government that the free gift character of the proposal utterly disappeared, and it then became a measure which was to be forced upon the House of Commons, no matter at what cost. Every single clause in this Bill, except the first, was forced through Committee without discussion by a most ruthless misuse of the Closure—a use of the Closure so ruthless that nothing but the most urgent considerations of public safety could possibly justify it. When I reflect upon that use of the Closure, and recall the opinions held by the Constitutional Party in 1882—when I recall the able, the forcible, the eloquent speeches which were then made by the Members of the Tory Party, by its rank and file, and by its leaders, against the dangers which must inevitably accrue in the direction of Parliamentary tyranny and oppression in consequence of what was then an innovation, I cannot understand that a Party that made those declarations in 1882 should sanction this misuse of the Closure in 1888. Who would have supposed that a short period of seven years would work such a change in the feelings of the Constitutional Party with respect to the Closure. I have often been reproached for inconsistency; but now it is no longer open to any Member of the Front Bench, unless it be to the Chancellor of the Exchequer—[*laughter from the Home Rule Members*]—I do not make that exception in any jocular way; I except the right hon. Gentleman because he was not a Member of the Tory Party at the time to which I am referring—it is no longer open to any Member of the Front Bench to reproach me with inconsistency in public matters after the enormous inconsistency of which they have been guilty, in declaring in 1882 that the Closure was the most un-Constitutional and dangerous innovation that could be imagined, and in using in 1888 that most un-Constitutional and dangerous innovation in a most un-Constitutional and dangerous manner. I say that this Closure was used in a unique and extraordinary manner for the purpose of forcing down the throats of the minority, the political opponents of the Government of the day, an unprecedented and unparalleled, and, I think, tremendous instrument of oppression, namely, the procedure which we are called upon to stamp with our approval to-night. It is a procedure such as would undoubtedly have been gladly resorted to by the Tudors and their Judges. It is, I think, in every sense of the word an Elizabethan procedure. It is procedure of an arbitrary and tyrannical character, used against individuals who are the political opponents of the Government of the day, procedure such as Parliament has for generations and centuries struggled against and resisted, procedure such as we had hoped in these happy days Parliament had triumphantly overcome. It is procedure such as would have startled and alarmed even Lord Eldon; it is procedure such as Lords Lyndhurst and Brougham would have protested against; it is procedure which, if that great lawyer, Earl Cairns, had been alive, the Tory Party would never have carried. But a Nemesis awaits a Government that adopts un-Constitutional methods. What has been the result of this uprootal of Constitutional practices? What has been the one result? Pigott! What has been the result of this mountainous parturition? A thing, a reptile, a monster—Pigott! What, with all your skill, with all your cleverness, has been the result? A ghastly, bloody, rotten fœtus—Pigott! Pigott!! Pigott!!! This is your Nemesis, and I hope a similar Nemesis will always inevitably await the British Government when they depart flagrantly from Constitutional courses. To sum up the whole of this matter—Why do I bring these things before the House of Commons? [An hon. MEMBER *on the Ministerial Benches laughed derisively.*] Yes; I know there are lots of high-minded and generous Members, who not long ago were my friends, who are ready to impute—much more likely to impute than openly to assert—that I am animated by every evil motive. I bring these matters before the House of Commons because I look forward to times and apprehend the times, which I trust may be remote, but which I sometimes fear may be nigh, when the Party which vaunts itself as the Constitutional Party may possibly, by the vicissitudes of fortune, find itself in a position of political inferiority similar to that which it occupied in 1832—I look forward to times when the rights

of the minority may be trampled upon and overridden, when the views of the minority may be stifled, when individual political opponents may be proceeded against as you have proceeded against your political opponents. I can conceive of no tyrannical interference with freedom of political speech and freedom of political action; I can imagine no excess of Parliamentary oppression by a majority of a minority, which could not be palliated and covered, ay, and justified, by this precedent which you have yourselves created. I have no doubt many hon. Members on this side of the House are ready to form a most unfavourable opinion of what I am saying. These views of mine have not been formed as a consequence of what has been going on. They were formed the moment this Commission was proposed. And what course did I take? I might have opposed the Government. I believe I ought to have done so. But I knew the storm of calumny and imputation which would break out from gentlemen of passionate and unreflecting minds if I did so. I therefore took a different course, and I embodied these views which I have laid before the House in a written document, which I respectfully submitted to the First Lord of the Treasury to be laid before the Government. Therefore, they are not the views formed according to the way things have gone. They are the views which I expressed privately, but as strongly as I could, to the Government when the Bill was in contemplation, and which I feel I must express publicly in the House of Commons before these things are finally sanctioned by Parliament. May I examine the Motion itself also from a Constitutional point of view? I think I have a fatal objection to adduce to the Motion. The Government, in my opinion, strayed most woefully and most direfully from what I will not call the path of the Constitution, but from the broad high-road of the Constitution when they constituted by Act of Parliament the Special Commission. By that Act of Parliament they violated the Constitution; but by this Motion I hold they are violating their own law. The Special Commission Act proceeded on the supposition that Parliament was incompetent to ascertain the truth of these charges. Parliament, by that Act, delegated the duty to a Special Commission of three Judges, whose judgment was to be undoubtedly a final judgment so far as the House of Commons was concerned. Why do I say that? Because if hon. Members will look at the Act they will find that Parliament, acting under the guidance of the Government, deliberately constituted a tribunal for the purpose in view, which was to be, for that purpose, a branch of the Supreme Court of Judicature. They conferred upon that tribunal by their Act of Parliament all the powers, rights, and privileges such as are vested in Her Majesty's High Court of Justice or in any Judge thereof. They had a precedent before them in the constitution of the Commission to inquire into the Sheffield outrages. They set aside that precedent; they deliberately gave to this Court all the privileges and powers of the High Court, such as had never before been conferred npon a Special Commission. What is the privilege of the High Court, without the strict observance of which its life and vigour must fail and perish? I hold that the first and most essential privilege of the High Court of Justice is that its proceedings in the administration of the law shall not be interfered with by Parliament—shall not be brought under review by Parliament, either for the purpose of blame or praise; and that its findings and judgments cannot under any consideration whatever be questioned in Parliament. Parliament can make a law. Parliament can alter a law. But in the administration of the law the High Court of Justice, or any of its branches, is co-equal with Parliament, and in some sense superior. But what does the Government do by this Motion, asking the House to adopt the judgment of a branch of the High Court of Justice? They set up, not Parliament, but a branch of Parliament—the House of Commons—as a Court of review and of appeal from the findings of a tribunal with equal rights and privileges with the other tribunals of the High Court of Justice. Now, who does this; who sets up the House of Commons as a Court of review from the findings of the High Court of Justice? Not a private Member; not an Irish Member. Often have I heard Irish Members attempt to bring under the review of this House the proceedings of the High Court of Justice, but, no matter whether the Government has

been Conservative or Liberal, they have been sternly rejected and Parliamentary sanction has been refused. But now we have a British Government inviting the House of Commons to affirm a judgment of the High Court of Justice, and naturally, by that Motion, inviting and challenging their opponents to reject the judgment of the High Court of Justice. After this precedent—and I submit this important point to the Legal Advisers of the Government—I doubt whether it is an exaggeration to state—indeed, I state it on a high legal authority—that there is hardly any judgment or finding of any Judge or jury administering the law under the High Court of Justice which might not be brought under the notice of Parliament, either to be questioned, or adopted, or condemned. What I want to know is this—what is to become of the administration of justice in this country? How are you to look for an independent judiciary if the findings and judgments of Judges, no matter whether they are permanent or temporary and created for a special purpose, are to be subjected to Parliamentary debate, censure, or approval? What is to become of the administration of justice if the judgments of the High Court are to be adopted by a Party or majority when they happen to be convenient, and to be rejected by a Party or by a majority when they happen to be inconvenient and troublesome? Why is the House of Commons to acquire and possess these special prerogatives which Government by their Motion have given to it? I want to know this. Has the Sovereign adopted the Report? The Sovereign is a branch of Parliament, and a very important branch. Has the House of Lords adopted the Report? The House of Lords, we understand, or some of its leaders, are waiting to see what the House of Commons is going to do. But there are undoubtedly great lawyers still in the House of Lords, and I shall be surprised if some of these great lawyers, and probably nearly all these great lawyers, do not warn their Lordships against embarking on the un-Constitutional course to which this Motion invites us. The Judges under the Special Commission Act were directed to inquire into the truth of certain charges and allegations. The direction was similar to the direction of a jury. They were "well and truly to try and make true deliverance." Has the truth been found or not? If it has been found, what need of this Motion? If it has not been found, where do you find in the Constitution or in your special Act any right to appeal to the House of Commons? The Judges were not directed to make any Report to any person. Such was what I can only call the reckless haste with which this Act was passed into law that, although in one clause the Judges are directed to inquire and report, no person or body is mentioned to whom the Report is to be made. I do not know why the Report has been addressed to the Crown. I find nothing in the Act to justify it. If the Judges had chosen to deliver their judgment in their own Court, and if their judgment had been embodied in a Blue-book as the judgment of the Judges which we have now before us, then I say the utter un-Constitutionality of the Motion would have been apparent to the meanest intelligence. Now, Sir, I respectfully submit that this objection is fatal to the Motion of the First Lord of the Treasury—fatal, that is to say, if Constitutional courses are to be at all adhered to or at all respected. The Government broke the spirit of the Constitution by appointing the Commission. They broke the letter of their own law by submitting this Motion to the House of Commons. As their original Act was without any precedent in English history, so I say deliberately and fearless of contradiction that this Motion is without any precedent in the annals of the House of Commons. And just as the Act creates a precedent of most evil omen to the rights of minorities and the rights of political opponents in the future, so does this Motion create a precedent of evil omen and great danger to the administration of justice in the future. I have tried the original Act by elementary Constitutional Law, and I find it to be wrong, and I defy any one to prove it is right. I have tried the Motion by the original law of the Government, for which they are responsible, and I assert that the Motion is as wrong as the Act itself. The Government by the Act deliberately surrounded their tribunal with all the protection and privileges of the High Court of Justice. By this Motion they are obliged to break

down, destroy, and shatter all the protection and privileges which they accorded to that Court. What does the First Lord of the Treasury mean? He assumes, and asks us to support him, to set up the House of Commons as a Court of Appeal and a Court of Review upon a judicial finding, and he asserts that in such a course he is dealing out, to use his own words, absolute justice to all. Now, let me just examine that proposition. He asks the House of Commons to adopt the Report. What do we do if we adopt that Report and make it our own? We condemn certain persons on certain charges, and we acquit certain persons on certain charges. That is what we do by adopting the Report. But do we condemn all the guilty parties concerned in this matter? Do we condemn all the parties who have been found guilty of—to use a very mild expression—misdemeanour? We condemn, it is quite true, the Irish members on certain charges and for certain acts. But do we condemn the *Times* newspaper? The *Times* newspaper has been found guilty of an atrocious libel against Members of this House. But there is not a word in the Report or in the Motion now before the House condemning this convicted delinquent, who is certainly in this matter as important as the Irish Members. Can you call that dealing out absolute justice to all? If the Government insist on this Motion, if they compel their majority to assent to it, then I also insist on my right, as a Member of this House, to record my vote in favour of the condemnation, not only of the Irish Party, but of the *Times* newspaper, found guilty of an atrocious libel on Members of this House—found guilty of a slander unexampled and without foundation. I hope that issue is yet to be discussed; but I cite it as an illustration of the danger when once you interfere with the indifferent and independent administration of justice by the ordinary tribunals of the land. No doubt much of what I am saying, and very likely all, is most displeasing to those who sit around me, and I have no doubt that a plentiful crop of misunderstandings and imputations will result. But the matter, I felt, was too grave for me to keep silent. The precedent was too serious and too horrible. I do earnestly invite and counsel hon. Gentlemen on this side of the House, even at this eleventh hour, to do something towards retracing the steps which have been taken by them along this dangerous road. I invite any one of them who has doubts as to the prudence of the course which is being pursued to press the Government to abandon this Motion. There was a time, not very long ago, when my word had some weight with hon. Gentlemen on this side of the House, and in recalling that time I cannot, and will not, refrain from the remark that the prospects of the Party were then brighter by far than they are now. When I had the honour, the memorable honour, of counselling hon. Members on this side of the House, the Unionist majority in this House was over 100. It has now fallen to about 70. It cannot be denied that bye-elections, though dangerous if you gather too much deduction from one or two, cannot be disregarded if you take them as a whole. Bye-elections do show a great shifting of public opinion, which I fear will not be favourable to the prospects of the Unionist Party. At any rate that was not the case when I had the honour of counselling the Party. If there are any lingering memories on these Benches of those days, when I think our fortunes were better, it is by those memories I would appeal to hon. Members on this side of the House to give a fair and impartial and unprejudiced consideration to the counsels which I now lay before them. But if my words are to fall on deaf ears, if the counsels I most honestly submit are to be spurned and scorned, then I declare that I also look forward to the day alluded to by the hon. and learned Member for Fife (Mr. Asquith), in his most brilliant speech, when a future Parliament shall expunge from the Journals of this House the record of this melancholy proceeding, and in taking such action, inspired, I trust, not by Party passion, Party vindictiveness, or Party rancour, but acting on Constitutional grounds, and on those alone, it will administer to its predecessors a deserved and wholesome rebuke for having outraged and violated Constitutional liberty, and will establish and set up a sign-post full of warning, instruction, and guidance to the Parliaments yet unborn.

MR. J. CHAMBERLAIN (Birmingham, W.): Mr. Speaker, the House has just listened to a Constitutional speech on a grave subject, couched in moderate language, and if I am unable to accept all that is in that speech I hope I shall not fail to deal with it in the manner which it deserves. The noble Lord, I think, need not fear from me or any Member of this House that we shall scorn his advice. We may not all agree with him, or be able to accept the assumption that underlay the latter part of his speech, that if we accepted his advice we should place the Unionist Party again in a majority of 100 in this House, but we shall not be inclined to treat with disrespect the counsels which he from time to time gives us. The speech which the noble Lord has just made, as he must himself preceive, might have been made with greater propriety on the Second Reading of the Commission Bill. He has told us the reasons which prevented him speaking on that occasion. All I can say is that having spoken now we are under the disadvantage of dealing with circumstances which are two years old, and which are not fresh in the recollections of all. My recollection of these circumstances does not agree with his. He spoke of the charges which had been made against hon. Members, and he said the Government must have come to the conclusion that there were *primâ facie* grounds for those charges. I do not remember that the Government or any Member of the Government ever said there was a *primâ facie* case against hon. Members. The noble lord said that if they held that opinion they ought at once to have instituted a criminal prosecution. But if, upon such rumours, which have now turned out to be calumnies, the Government had instituted a prosecution against those who were their political opponents, they would then have been open to all the censure which the noble Lord now throws upon them. As I understand the position, Her Majesty's Government treated these allegations as libels, which might or might not be justified, but as libels against public men, and they desired that these public men should take the usual course for vindicating their character. It was on the invitation and at the request of hon. Members themselves that this matter was made the subject of inquiry. It was not raised by the opponents of hon. Members. It was raised by hon. Members themselves, who claimed a Committee of this House. The question then was not whether there should be an inquiry. I could show that at that time there was not the slightest difference of opinion as to the necessity for inquiry and the character of the inquiry, but only as to the character of the tribunal. I do not think that upon that any great Constitutional question arose. I think it has been said in some of the leading organs of the Home Rule Party that this Special Commission was my pet proposal. When I have given the authority for this statement I need scarcely say that it is entirely untrue. I never heard of the Commission until it was suggested by the Government. But now that the action of the Government is called in question, I will say that, in my judgment, the circumstances have shown that they were right. Experience and the result of this inquiry have shown that this tribunal was the best, and, I will say, the only tribunal to conduct the inquiry. I doubt whether upon that point there will be much contention. I am not speaking of the conclusions of the tribunal—I am speaking of the conduct of the inquiry. All the objections made at the time of the appointment of the Commission by hon. Members on this side of the House have been shown to be without foundation. I have taken out from the debate a list of all the objections taken. It was said that the Judges would not be impartial. [*Home Rule cheers.*] Yes, but it is not said now. [*Cries of* "Yes, yes" *from the Irish Members.*] Well, hon. and right hon. Gentlemen who have spoken have said exactly the reverse. ["No."] I will quote the exact words directly. The next objection was that the charges against the respondents could not be specified. But the first thing that the Judges did was to demand a specification of the charges. It was said that the *Times*' charges were so vague that the inquiry would last at least 10 years. It was said that all the guarantees and safeguards of accused persons were omitted; that the ordinary judicial procedure would not be insured; and that the *Times*, if found guilty, would enjoy an absolute immunity from all subsequent proceedings. It was

said, for instance, that an action for libel would not be allowed against the *Times;* that it would be impossible for those injured respondents to have any solace for their injuries. I say every one of those objections has been proved to be without foundation. The inquiry which has taken place has been exhaustive, every charge has been inquired into, every charge been examined upon, has been replied to, and has been cross-examined upon. Now, I ask the House, as sensible men, whether a Parliamentary Committee—which was the alternative—would have done better, or, indeed, would have done as well? Again—I am only speaking of the nature of the inquiry—I have heard it stated in the debate that a Parliamentary Committee would have brought the matter to an earlier conclusion. How could it have done so? A Parliamentary Committee might have examined into the whole of the charges, which was the instruction given to the Judges; but if they had done, is it possible that they could have accomplished this work in anything like the time in which the Commission performed it? Every one knows what the procedure is before a Parliamentary Committee, that it is impossible to adhere to the strict methods which have been found to be the best way of shortening the procedure; every Member of the Committee has the opportunity of examination, and in these circumstances I think it quite possible that if such a Committee had been appointed it would not have completed its work during the present Parliament. Therefore, so far as the inquiry goes, it must be satisfactory to hon. Members below the Gangway. It was as exhaustive as they themselves could have wished it to be, and I do not think that any of their witnesses have been refused a hearing, or that anything which they wished to say has not been brought out. The next point is this—is there any reason in the constitution of the tribunal which should induce the House to receive with suspicion its conclusions? I said just now I would refer to the statements of my right hon. Friends about the Judges. My right hon. Friend the Member for Mid Lothian admitted their assiduity, their ability, their learning, and their perfect and absolute good faith.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): There was a qualification.

MR. J. CHAMBERLAIN: I will come to the qualification of my right hon. Friend also. My right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler) went further; he admitted the absolute impartiality of the Judges. My hon. and learned Friend the Member for South Hackney (Sir C. Russell) spoke of their decision as "an impartial judgment." Now, it is quite true there were qualifications. My right hon. Friend behind me spoke of "prepossessions"; the hon. and learned Member for South Hackney spoke of "prejudices." My right hon. Friend did not go so far; he said, "I do not say prepossessions, I will call them political sentiments." Very well; granted that the Judges, like every one else, have personal prepossessions and political opinions. Is it contended that that vitiates their judgment and their findings upon matters of fact? Can we not distinguish between what are matters of fact and matters of opinion? I will say, for myself, when the Judges give their opinion for instance as to the exact effect of the rejection of the Compensation for Disturbance Bill by the House of Lords, or as to the exact influence upon the condition of Ireland of the passing of the Land Act, I think these are matters of opinion upon which I am quite willing that the views of others should prevail over those of the Judges. I make that admission. But as regards matters of fact, is there any reason that their prepossessions should vitiate the findings at which the Judges have arrived? My right hon. Friend behind me says that, holding these opinions, he is not going to adopt the Report. Yes, but I maintain that it is straining language to say that if you adopt the Report you are pledged to every word of the Report, to every expression of the Report, to every adjective. No, Sir; I think most of us in the course of our lives have had to adopt Reports by the hundred and thousand. Has it ever been held that in adopting any Report, however long, you are committed to every single expression of it? By adopting a Report you adopt the findings, the general effect; you are not pledged to every word. Suppose, however, that you refuse to adopt it—and, as I am going step by step, I must again remind the House that I am speaking now only as to

the conclusions on matters of fact, not of opinion—suppose you refuse to adopt the Report of the Judges, to whom are you going to appeal? And here, to my mind, is a curious inconsistency in the arguments of my right hon. Friends. They say that this House is invited to exercise a judicial function, and yet they appeal from the Judges to the House, in order that we may exercise a judicial function.

LORD R. CHURCHILL: The Motion does so.

MR. J. CHAMBERLAIN: No, the Motion does not. I differ from the noble Lord, and will endeavour to make my meaning clear to him directly. An appeal to the House means this, whether it be to a Committee of the House or to the House as a whole—it means an appeal to them to re-try the facts of a case as to which it has been said by my hon. and learned Friend the Member for South Hackney, that not one-half of the House has read the Report, and not one-tenth has read the evidence. How, then, can you appeal to the House to do justice in a judicial capacity? No, the difference between the proposition of the Government and the propositions moved or to be moved by the proposers of the various Amendments that have been placed upon the Paper, is this—the Government asks the House to discharge a Ministerial function, to adopt the Report, and not to pronounce a judicial opinion. But, by the Amendments, you are asked to take the findings of fact by the Judges, to deal with them, to distinguish between them, and to pronounce your own judgment upon them. It has been said on behalf of the Opposition, that this House is disqualified to perform such a task. This House, it will be admitted, has prepossessions, prejudices, political opinions, and, in consequence, it is contended that we are disqualified to pronounce a judicial opinion. I say we are not asked to pronounce a judicial opinion. I vote for the Resolution of the Government because it does not ask us to pronounce a judicial opinion, but it leaves that to the nation. You have confidence in the nation. You believe that it will do you justice. [*Cheers.*] Then why do you not leave it in their hands? Now, I must touch upon another statement of the noble Lord, which was, I think, in continuation of a statement made by the right hon. Member for Mid Lothian. It has been said by both that this Report is a Vote of Censure; that by adopting it you are condemning hon. Members, your Colleagues in this House. I deny that altogether. Let us examine it. We have been told by every speaker on this side that this Report is a triumphant acquittal upon every charge which is of the slightest importance. Well, how can a triumphant acquittal be a Vote of Censure? But I go further. As I have said, by adopting the Report we adopt only the findings of fact as they are put before us by the Judges—we adopt them as the nearest approach to truth that we can get in this matter. But I do not find in the Report one single word of condemnation from the Judges; from one end of the Report to the other it is an impartial judicial statement—such things were done, such words were used, such consequences followed; as to whether good or bad, laudable or to be reprobated, the Judges do not say one word. By adopting the Report you do not say one word either. I do not mean that you may not think it to be your duty to say a good deal by way of supplement to this Report. All I point out is what cannot be contradicted as to the position of the question and the issue we are asked to determine. If you stop at what the Government proposes you pronounce neither censure nor praise. In all inquiries of this kind there are necessarily two stages—the first is the finding of the facts, and that is the stage the Judges have brought us to; the second is the appreciation of the findings. That is what you are at liberty to deal with if you like. We have been called on to give an appreciation of the facts by my right hon. Friends. They say that the Judges were precluded from taking into account political and historical considerations, and that these political and historical considerations are essential before pronouncing finally on the matter, as they may turn things which would otherwise be offences into praiseworthy acts. That I admit. I say it was not for the Judges to do that. If it is your opinion that a judgment should be pronounced on the findings of the Commission, then I say that your judgment upon the whole Report should be a full comment upon the findings, and not upon those particular

portions of the Report which seem to suit your present circumstances. What I have said applies to the Amendment in the name of the hon. Member for Loughborough (Mr. de Lisle) as well as to the Amendment of the hon. Member for Stockport (Mr. Jennings). If I had to choose between any of these Amendments I should say that his is the least objectionable. Undoubtedly the offences of which the respondents have been acquitted are more serious, more infamous, and more damaging charges than the charges which have been proved against them. Therefore, if you are to pick out any part of the Report at all you should pick out that part which contains the most important charges. But why should you pick out one part and not accept the whole? If, as you contend, the whole Report is a verdict of acquittal, and if, after taking into account the pleas of palliation which have been put forward, you can say that the action of the respondents has been, on the whole, laudable, why do you not profess to deal with the Report in that sense? I listened with the greatest admiration to the speech of my hon. and learned Friend the Member for South Hackney (Sir C. Russell). He is a great forensic advocate, but I do not think that that was the speech of an advocate. It was not a speech made from a brief or from instruction. It was a speech made from his heart and conscience. But my hon. and learned Friend, if he had chosen, might have produced an Amendment in the very words of that speech—an Amendment which I believe would have been practically accepted with unanimity by the House. In the course of that speech my hon. and learned Friend spoke of his loathing for crime and assassination and condemned in the strongest terms intimidation in any shape or form. He deplored the excesses by which a great popular movement had been stained, and regretted that the leaders of that movement had failed in any respect in denouncing intimidation. Well, if he had been willing and had seen his way to draw up an Amendment in which that reference was made to some of the findings of the Report, he might have taken his choice of the other Amendments before the House, which declared the satisfaction of the House at the acquittal of the hon. Members on still graver charges. But we are asked to pick and choose. We are to treat some findings as being of no importance and others as being of supreme importance and requiring particular notice. I am bound, even at the risk of wearying the House, to examine once more the character of those findings which we are asked to ignore. There is no doubt about the findings which acquit the respondents. Every one admits gladly that the respondents have been completely acquitted of personal complicity with crime. But these are not the only charges against them, and they are not the only charges which they themselves demanded should be inquired into. They asked that the charges in *Parnellism and Crime*, including abstention from condemnation of crime, connivance with crime, and indirect but moral complicity with crime, should be inquired into. Let me examine the findings of the Judges in reference to this matter. The speech of the hon. Member for West Belfast (Mr. Sexton) was a sort of *apologia pro vitâ suâ*, and if it were to be accepted it is not condemnation which is due to hon. Members, but we ought to pass a Resolution declaring that the hon. Member and his Friends have deserved well of their country. The hon. and learned Member for East Fife (Mr. Asquith) took under his special protection the other day the Clan-na-Gael. The Clan-na-Gael, it appears, is a friendly society. Well, if it is a friendly socieiy, the Land League and the National League must be philanthropic associations for murder and outrage. Well, Sir, that will need a little closer examination. I pass over the findings as to conspiracy and what is called the charge of treason. I admit that I attach no importance to it in the present debate. It is perfectly true that conspiracy of the kind which is proved, conspiracy to obtain independence, is not a crime as we understand it. It is no personal dishonour to a man. In the history of Ireland, aye, and in the history of England, men have been guilty of similar conspiracy to secure independence—conspiracy which can be called treason, but for which they are held in high honour and esteem. The only importance I attach to that finding is a political importance. I do not gather that at the time when this conspiracy was going on—it

is contended now that it has been since abandoned—it was announced to the world by the hon. Members engaged in it. It was not their professed object. It was cloaked and concealed by what they called the Constitutional agitation. What guarantee have we that the same thing is not going on now? What proof have we that if Home Rule is granted we shall not find behind it the Fenian Organisation using Home Rule as a first step to independence? And now I come to what I think is the real issue—the findings numbered 4 and 9 in the Report. What is it that has been contended with reference to these findings? In the first place it is said that they are findings in the nature of matters of opinion and that they can be classified and distinguished in some way from the other evidence by which the respondents have been acquitted of the more serious offences. I say a moment's examination will show that the contention cannot be maintained. I defy anyone to make a distinction in the findings between those which appear at first sight to be hostile and those which appear favourable. There is a finding that—

"It is not proved that payment was made to Byrne to enable him to escape from justice."

Is that a finding of fact or is it not? That must be a finding of fact. What do you say to this?—

"That payments were made to persons injured in the commission of crime."

I am not speaking of their respective gravity; I am only saying, can it be pretended that one opinion is a matter of fact and that the other, as the hon. Member for Fife sneeringly observed, is "An *obiter dictum* of the Judges"? Then you get the finding that some of the respondents did express *bonâ fide* disapproval of crime. Is that a question of fact? If that is a question of fact, surely the other finding that the respondents did not denounce intimidation leading to crime, even when they knew of its consequences, is also a matter of fact. You can make a distinction in the gravity of the findings, but you cannot make any distinction in their character. I will take one more. The finding of the Court that acquits Mr. Parnell of all connection with the Invincible conspiracy is a finding of fact. But by what process of reasoning can you say that it is legitimate to accept a finding of that kind and reject a finding as to the co-operation and assistance which he has received from the Physical Force Party? They stand on the same footing. They have equal authority and equal weight, and you must either reject all the findings or accept them all. There is a much more serious contention, if true. It is said that these findings related to venial and trivial offences. Let us see what they are. There are three findings which stand together. The finding that the respondents invited and obtained the assistance and co-operation of the Physical Force Party; the finding that there was no denunciation by Mr. Parnell of the action of the Physical Force Party; and lastly, the finding that Mr. Davitt was in close and intimate association with the Party of violence in America. Is that a trivial offence? What was the Physical Force Party? It was a Party whose publicly avowed and professed object was to assassinate public men in this country and to lay our chief cities in ruins. And yet my right hon. Friend the Member for Wolverhampton compared these transactions with the history of the agitations which led to the passing of the Reform Act and the repeal of the Corn Laws. I say there is no parallel in these transactions to any popular or patriotic movement in the history of the world. There is no case in which men professing to carry on a Constitutional agitation met their opponents in fair debate, and at the same time were in close and intimate alliance with men who, by their published newspapers, declared that their object was to assassinate those same opponents and cause injury and ruin to the countrymen of those so-called Constitutional leaders. It is said that reparation is due to hon. Gentlemen opposite. Well, Sir, is no reparation due to us who for months and years were followed by police even into our homes, in order to protect us against the agents of the "friendly society" of the hon. Member for East Fife? I say in any case to compare things of this kind with the action of Bright and Cobden is simply an insult to the memory of those great men. And now I come nearer home, to the charges affecting the agitation in Ireland. I take, in the first place, the account of the conversation between the hon. Member for Cork and Mr. Ives, the American

reporter. This was before the larger number of these outrages had taken place, and at the time when the Land League, it may be said, was in process of formation, and when, therefore, the principles upon which that Association was to act had to be laid down. The hon. Member for Cork spoke freely to Mr. Ives on the subject, and in consequence of his description Mr. Ives seems to have had his suspicions; he seems to have said to himself, "this will lead to violence." He said to the hon. Member—

"But do you not believe in the consequences which are visited upon tenants who do pay their rents?"

The hon. Member replied—

"Well, it may be accepted as an axiom that you cannot effect a social revolution by dealing with it with kid gloves. Of course, if any farmers have burned the crops of their neighbours, or destroyed their cattle because they have paid their rents, those farmers are not only wrong, but they are fools, for they have to pay the cost. The person who has thus had his crop or stock destroyed is remunerated by the law, and his fellow-tenants have to bear the loss. But a certain amount of pressure from public opinion, which in such cases is apt occasionally to manifest itself in unpleasant ways, must be brought to bear upon those who are weak or cowardly. Look at the strikes in England and America, and the penalties threatened towards traitors to the common cause."

Well, I am not going to exaggerate the meaning of these words, but I think the words "unpleasant ways" and the reference to traitors have a disagreeable sound. I quote them in order to show that the hon. Member for Cork was perfectly well aware that the action he was taking, the methods he was devising, were likely to lead to certain persons being treated as "traitors" and in an "unpleasant way." I might give here the words used by the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor). That hon. Member always speaks with great care in this House, but I note that he rarely goes to Ireland to speak. In America, however, his tongue is a little loosened, for there he spoke of the shooting of land-grabbers as being one of the incidents of the campaign.

MR. T. P. O'CONNOR (Liverpool, Scotland): I never said anything of the kind.

MR. J. CHAMBERLAIN: I will try to find the passage.

Mr. T. P. O'CONNOR: Quote by all means.

Mr. CHAMBERLAIN had spent some moments unsuccessfully in trying to find the particular passage referred to in the Report, when

MR. T. P. O'CONNOR: Perhaps I may help the right hon. Gentleman to find the passage he is thinking of, and in quoting which he has misrepresented me. It is at page 106.

MR. J. CHAMBERLAIN: I should be very sorry to do the hon. Member any injustice; I certainly quoted from recollection, and, therefore, I should be glad to give the exact words. Now, the words I attributed to the hon. Member were that "the shooting of land-grabbers was one of the incidents of the campaign." The actual words were, "that the shooting of land-grabbers was one of the incidents of the civil war."

MR. T. P. O'CONNOR: The right hon. Gentleman has fallen into the same mistake that the learned Judges did. He has put into my mouth language which I did not employ, but which was employed by cross-examining counsel.

MR. J. CHAMBERLAIN: I cannot, of course, go behind the Report; but the interruption of the hon. Member compels me to direct the attention of the House to a previous statement made by him, in which he refers to the landlords getting no rent, and to the 10,000 farmers to be evicted, and in which he says—

"The landlord has not got any rent from the ten thousand who are ejected from the farms, and he is not going to get any rent. What becomes of the ten thousand farmers meantime? We will put the tenants as near these farms as we possibly can. They like to have a glimpse of their old home, and if I was an agent of an Insurance Society I would not like to have my whole organisation and corporation dependent on the ten thousand farmers who will go into the farms that the other ten thousand have been evicted from."

MR. T. P. O'CONNOR: The right hon. Gentleman has again adopted the unfairness of the Judges towards me. I have already pointed out that the Judges, doubtless quite by accident and unintentionally—if hon. Gentlemen wish to say by design, let them take the responsibility of doing so—I say that the Judges put into my mouth words which were not employed by me but by cross-examining counsel. The Judges have likewise thought it right to quote from

me a passage without giving the words which immediately follow. I have sent for the evidence, and I will quote the passage in the course of the evening.

MR. J. CHAMBERLAIN: I will leave the hon. Member to vindicate himself from the Judges, and will pronounce no opinion upon that.

MR. T. P. O'CONNOR: You ought to have examined the evidence before quoting it.

MR. J. CHAMBERLAIN: In order that the matter may be perfectly clear, I may repeat that the statement made in the Report is that Mr. T. P. O'Connor admitted that the shooting of land-grabbers was an incident of the civil war, which, of course, may be involved in the admission of an answer to counsel.

MR. T. P. O'CONNOR: The right hon. Gentleman has repeated the passage which I admit, taken by itself, would involve a very serious charge of reckless language against me; but I contend that before he adopted the language of the Report he ought to have consulted the evidence. I say this, because the charge unchallenged would be a very serious one against me. Before the Judges I was asked a question with regard to this, and my answer will be found on page 38 of Volume IX. I was asked —

"Did you make that speech?—Yes.

"Do you wish to give any explanation of it yourself?—The explanation was given at the time the speech was made.

"What was the explanation?—You have not read the passage, though it immediately follows it."

Here is the passage—

"I do not state this as a matter of boast or a matter of gratification; I state it as the horrible, savage, and uncivilised state of feeling and of things which English mismanagement and English tyranny have brought about."

MR. J. CHAMBERLAIN: I stated that I was quoting from the hon. Member in order to show that he was aware of the consequences which would follow such action. The paragraph which he has now read confirms and strengthens my interpretation. He says that he knew that these consequences, these horrible consequences, would follow. They were not to him a matter of boast or satisfaction; yet he was going on with the course of action which he knew would produce these results.

MR. T. P. O'CONNOR: I call upon you as a matter of order, Mr. Speaker, to decide on this point. The right hon. Gentleman states that I knew that certain actions would lead to murder, and that I continued that action with that knowledge. Is the right hon. Gentleman justified in making that charge?

*MR. SPEAKER: The question is not one of order. It is a matter of inference on the part of the right hon. Gentleman, and the hon. Member can rebut the statement when he has an opportunity of replying.

MR. T. P. O'CONNOR: In the second place, I say that when the right hon. Gentleman charges me with adopting a course of action that would lead to these lamentable offences. I challenge him to give one instance of such action on my part.

MR. J. CHAMBERLAIN: I do not wish to pursue this controversy further, Mr. Speaker, but it is impossible to overlook the fact that the hon. Member stated in this speech that he would put the evicted tenants as near their farms as he possibly could; that is to say, that he expressed the intention of doing that which he knew must lead to bad consequences. But when the hon. Member says that I accused him of doing things which he knew would lead to murder, I beg to point out to him that what I said will not bear so serious an interpretation as that. But I do say that his language clearly means that illegal practices would follow at some time or other, to the injury of the tenants who took the evicted farms; and I repeat that, after knowing what the results of placing the old tenants as near as possible to the new tenants on those farms would be, he continued to support that course of action. I pass on, and direct the attention of the House to a speech made by the late Mr. Biggar at a banquet given to Mr. Parnell, and in which Mr. Biggar referred to Hartmann, but from which I will not quote unless the House desires me to do so. There is also a speech made by Boyton, to which reference has been made. Boyton told the people that they should shoot the landlords as game, and that if the police came at night, and frightened their wives and daughters, they could blow out their brains if they had an old musket or a pistol. It was said the other day by an hon. Member that it was extremely unfair to the hon. Member for Cork to make him answer-

able for the wild language or statements of every person connected with the League or on the outskirts of the movement. Certainly it is. But is it pretended that Boyton was a person of that kind? Boyton was one of the leading organisers of the League. He is thought of sufficient importance to have his speeches reported verbatim; and I ask, is it conceivable that a man like Boyton could make speeches of the sort I have referred to, speeches which were frequently repeated, and that attracted a great deal of attention at the time, without the leaders of the League being aware of the fact? I say it is impossible to conceive that hon. Members and the whole of the executive of the League were ignorant of the character of the speeches being made by Boyton and others, and, if they were not ignorant of them, then they are proved to be guilty of connivance with crime. But I go to a much more important speaker, the hon. Member for East Mayo. Now, Mr. Dillon made a speech, not at the time of the outrages, not in 1882, but in 1888, in cold blood, after the Home Rule Bill had been introduced, and after a better feeling—as it is said—had sprung up between the two countries. He says—

"I have been for nine years now engaged in this struggle, and if any man asks me what was it that won, so far as I could answer without hesitation—it was keeping the farms empty. If the landlords had found it possible, during these nine years, to let every evicted farm, you would never have had the Land Bill at all. Those who went before us tried good means and they tried bad means, too; and there never was the slightest success until we hit upon the dodge of making it too hot for the man who took his neighbours' land."

Now I wish to call attention to that expression. Mr. Dillon said that he "had hit upon the dodge of making it too hot." My right hon. Friends on this side of the House have complained that the charges of which hon. Members opposite were acquitted were infamous and dishonouring charges, which, if proved, would have shown the hon. Member for Cork to be a liar, a coward, a hypocrite, and a murderer. Why, what was the charge against the hon. Member for Cork? What was the worst of the forged letters? It was a letter in which Mr. Parnell was charged with having urged that some one should "make it hot for old Forster." I remember referring to that in the debate on the Second Reading of the Bill, and I said it seemed to me it was capable of bearing a much less serious interpretation than had been put upon it. But if hon. Members thought that the charge was infamous and dishonouring when it was brought against Mr. Parnell, what do they think when it is proved against Mr. Dillon? Now what is the finding of the Judges upon this matter? They say—

"No proof has been given, and we do not believe, that there was any intention on the part of the respondents or any of them to procure any murder or murder in general to be committed, and further, we believe that even those of them who have used the most dangerous language did not intend to cause the perpetration of murder. But, while we acquit the respondents of having directly or intentionally incited to murder, we find that the speeches made in which land-grabbers and other offenders against the League were denounced as traitors, and as being as bad as informers—the urging young men to procure arms and the dissemination of the newspapers above referred to—had the effect of causing an excitable peasantry to carry out the laws of the Land League, even by assassination."

I do not think that that is a judgment which the House will think errs on the side of severity. But it is impossible that you can deal with some of these findings and take no notice of others such as this. It is said that the others are of less importance; there is the dissemination of newspapers, the indiscriminate defence of prisoners, and the payment of persons injured in the commission of outrage. But these amount to condonation and connivance; and I say, therefore, that these serious charges, though less serious than those of which they have been acquitted, which have been proved against hon. Members opposite, cannot be passed over without any notice being taken of them. But then there is another argument. It is said that these offences may be proved, but that there is palliation and extenuation for them. We are told that we ought to take into account the wrongs and misery of Ireland, and the valuable result in the way of legislation obtained by agitation. I am willing to admit the force of these arguments, but they are outside the present question. I say that the wrongs and misery of Ireland might have justified agitation—they did justify agitation—and even might have been an excuse for insur-

rection; but they cannot justify outrage, and it is this that makes the distinction between the agitation of hon. Members opposite and those of Bright and Cobden and the reform agitations. In previous years you may have had outbursts of popular violence, but never before did you have an organised system of intimidation leading to crime. I think we are bound to make this protest, and to say that assassination and outrage of the character described are things which even an injured people have no right to employ. Mr. Davitt has pointed out that his hands, at all events, are absolutely clean in this matter, and in his speeches and in his address to the Commissioners he has pointed out that these outrages were not only condemnable and were condemned by him, but that they were positively injurious to the agitation. With regard to the argument that we should take into account the result, I admit that the Land Bill could not have been passed without agitation, but I say that it did not need crime and outrage in order to pass the Land Bill or to back up the agitation. What we complain of is crime and outrage, and not agitation. Then it is said that all these things are ancient history, and do not go beyond the charges which were made by Mr. Forster in this House, or even those made by the right hon. Gentlemen the Member for Mid Lothian and the Member for Derby. That is true, perfectly true, and I believe that while every sensational calumny supplemented beyond what my right hon. Friends alleged has failed, their original charges have been sustained. But when we made these charges, and asked the House to pass stringent Coercion Acts on the ground that these charges were true, we did not think they were trivial and venial, and if they were not then, what has occurred since that time to make them so now? We said then that crime and outrage were illegitimate weapons of agitation, and that incitement to intimidation, however innocent in intention, was wrong. Why should we not have the same thing now; and if we are called upon to vote upon these findings, why should we not say so now? There is only this difference between then and now. At that time it might have been said that these grave charges had been put forward by political opponents—certainly by persons of different political convictions. Now they are made on the authority of a judicial tribunal and proved, and I say that it will be a supreme advantage of this Commission that in the future it will be impossible for the leaders of any agitation, situated as hon. Members below the Gangway, to ignore, or to pretend to ignore, the consequences of action and language which have been conclusively proved and recorded against them.

(5.43.) MR. WHITBREAD (Bedford): We who have been accustomed to the right hon. Gentleman's lucid statements and clearly reasoned arguments must have been struck with the evidence that he laboured somewhat in the task he has just completed. I should have thought he would have addressed himself, if only for a few minutes, to the speech from the noble Lord opposite (Lord Randolph Churchill), a speech for which I venture to say everyone who values Constitutional rights and public liberty will thank the noble Lord. I wish the noble Lord, instead of contenting himself with a written protest to the leader of the House, had boldly faced obloquy when the Commission Bill was under discussion and had spoken openly in this House. We, who, sitting here day by day, felt that base injustice was being done to Colleagues by that Bill, and were stung into warmth of language, would gladly have availed ourselves of the noble Lord's assistance, and with it we might have been able to have done something to avert what we believe has been a great blot on the history of Parliament. Now, the right hon. Gentleman who has just spoken does not seem to be very clear as to what it is the Government are asking us to do. He makes light of the Motion of the leader of the House, and treats the words of it as of no significance whatever. Sir, this is the first time, so far as I know, that the language of a railway shareholders' meeting has been brought into the proceedings of the House of Commons. I do not know what, in Parliamentary phraseology, is the meaning of the words "adopt the Report." I must go into commercial undertakings in relation to which the expression is used to understand its meaning. I should like to ask the right hon. Gentleman if he were chairman of a great railway company and moved the adoption of the Report at a meeting, and

that motion was accepted unanimously by the shareholders, whether he would not consider himself whitewashed in regard to every proposal in that Report, and whether he would admit the right of any shareholder at a future time to claim that he had not intended to assent to any particular item in the Report? The leader of the House and the Government might have used the old-fashioned language, "That this Report be entered upon the Journals;" but instead of doing this the Government ask the House to commit itself to every word in the Report. In fact, as the noble Lord has said, the Government have embarked on an un-Constitutional course and must go through with it. There has been no Broadhead on those Benches revealed by the Commission, and it is necessary to put a bold face on the matter. We have had trotted out the old complaint that the Members from Ireland did not denounce outrage, and did not assist in the detection of crime. On this side we are not going to shrink from or to shirk any particular in this Report; where we find anything to condemn we will condemn it; where we find anything that should be fairly urged in palliation of some of the offences committed we will urge it. I would ask the House in fairness to look back and see whether we have given the Irish Members much encouragement to condemn crime. Has the Press of England ever found room for hearty condemnation of crime uttered by an Irishman in Ireland? How many men in England have ever heard of that remarkable statement of Mr. Davitt's condemning outrages on cattle? How many men ever heard of it until it was brought out before the Commission? No. Every word uttered in Ireland, Australia, or America, which sounded like encouragement to outrage was reported, but the columns of the Press were closed to anything like condemnation of outrages. No pains were taken to discern any bright ray that might penetrate the dark future of affairs in Ireland. The Press of England was closed to the hearty condemnation by Irishmen of outrage, nor did it cast one bright ray on the dark picture of the conduct of Irish affairs. This was a time when the hand of England was laid heavily on Ireland; when Irish Members were imprisoned in the gaols of their own country, when they were scouted in this House; and when Parliament was engaged in altering its Rules of Procedure, with no other object than that it might get control over them. It was under these circumstances, when the hand of almost every Englishman and every Scotchman was against them, when they had hardly a friend to give them a smile or countenance, except, perhaps, the hon. Gentleman who was formerly Member for Newcastle—it was when they were coming fresh from prison that they were asked to do, what? Why, that which is an unpardonable sin in Ireland—to turn informers for the Government against their own fellow countrymen. It is easy to talk of the detection of crime in England, where a man employed in such work has the whole body of his countrymen at his back. But it is a very different state of things in Ireland—a sad state of things, deeply to be deplored, though it is the natural outcome of 90 years of Union and of coercion. Though we always denied that the Commission could settle anything of a political nature, we were prepared to take the verdict of the Commissioners upon questions which could properly be submitted to them. Among those questions was the question of the letters, and direct charges against hon. Members sitting on this side of the House, that were capable of proof or disproof. The right hon. Gentleman says it was the Irish Members themselves who caused the Commission, but he forgot to add that but for the publication of the letters in the *Times*, and the conduct of the Government through their Attorney General with regard to those letters, the Irish Members would never have demanded an inquiry. These were the matters which they regarded as of vital importance, and on which we desired that the Irish Members should have an opportunity of clearing their character. These were the matters which were admitted, at that time, to be the principal part of the charge against them. I will quote the speech of the right hon. Gentleman who last addressed us. He told us in so many words that if the letters were successfully proved to be forgeries, they would not, in his opinion, get the public to attend to the finding of many of the other charges. I remember my right hon. Friend went

very much further than that, because he said he did not see why the Government should stickle in the matter. The right hon. Gentleman the Member for West Birmingham said—

"I agree with the hon. Member for Oldham that these letters constitute the principal of these charges, and no inquiry would be satisfactory which did not give a principal place in that inquiry to an examination into the authenticity of these letters. If they should be successfully shown to be base forgeries, all the rest of the case would be so prejudiced that I much doubt whether the public will pay much attention to it."

MR. J. CHAMBERLAIN: Read on.

MR. WHITBREAD: I am afraid I have not the whole of the speech here, but further on the right hon. Gentleman said—

"What I mean is this. It may be said on behalf of hon. Members, 'We do not want this inquiry to last for an indefinite time, and therefore we do not want to go into mere offences against property, into boycotting, and matters of that kind. They are illegal, they are crimes in a technical sense, but they are not the sort of crimes into which inquiry is now demanded.' Well, exclude them by all means. I think matters of that sort would be altogether irrelevant to the main object of the inquiry, and I do not see why the inquiry should not be confined to general charges of real importance affecting complicity with crime of hon. Members, and with crime of personal violence and outrage."

MR. J. CHAMBERLAIN: Now read the next. My hon. Friend has read the beginning of the sentence which I wished him to refer to, and it ends by saying—

"If hon. Members below the Gangway say, 'We shall be satisfied if you propose to inquire into the charges of the *Times*, into our connivance with crime, into our complicity with crime, into our condonation of crime,' it appears to me we ought not to stickle."

That is exactly what we have been inquiring into now.

MR. WHITBREAD: I was quoting the words of the right hon. Gentleman in order to show that they merely desired inquiry into the question of the authenticity of the letters which had so struck the public mind, not desiring to place the hon. Member for Cork and his friends in the pillory, to go through an exertion which would have taken years of their lives, and to be put not only to enormous cost, but also to the greatest personal inconvenience. But are we to say nothing about the libel? Are we to leave the libel by the *Times* where the Judges left it? Are we to be content with the language that they used, if I remember rightly, when they were asked by counsel to express some opinion upon the question of the forgery? Are we to be content to say with them that the withdrawal of these letters, and the circumstances under which they were withdrawn, speak for themselves? That is a mild way of putting it. I must say I think when the right hon. Gentleman observes that the language of the Report is equally balanced between the two Parties, that he will not find two men inside or outside this House who will agree with him. The language bears hardly wherever there is condemnation of Irish Members, and it passes light as air over every one of the offences which the *Times* has committed. I have no doubt that the Judges had good ground for so treating the matter. They treated the charge as against one party only. But the House of Commons has to direct its mind to both sides. And in considering the gravity of the offences which this newspaper has committed, do let me ask the attention of the House to the persistency with which they were perpetrated. Was there ever such persistency in publishing a libel? Were ever such pains taken to disseminate such foul and scandalous charges? From April 19th, 1887, to February 27th, 1889, two days after Richard Pigott disappeared, the *Times* had in the most prominent position that advertisement with which we are all so familiar—"Parnellism and Crime, with the *fac simile* of the alleged letter of Mr. Parnell on the Phœnix Park murders." One would have thought that at least when the Commission was appointed, and the matter was *sub judice*, the *Times* would have had the good sense and the good taste to cease publishing that paragraph. But not a bit of it. On February 16th, 1889, nine days before the actual disappearance of the forger, the *Times* specially called the attention of their readers to a large page of *fac simile* letters. Did the *Times* and the hon. and learned Gentlemen the *Times'* counsel not know at that time that these letters were unreliable evidence? Did they not know at that time they could not depend upon them? Had they not heard at that time the solemn assurance of the hon. Member for Cork that the letters were forgeries? Did they not know that their own witness

dared not go into the box? Yet to prepare the minds of the public for that expert evidence which was to be put in, the sheet of *fac simile* letters was published. I think it was malignant that they should have continued at that time what they had been keeping for two years before the public. One good thing has resulted from this deplorable case—the part of the mysterious, well-cloaked, stranger possessed of secret information is pretty well played out for one generation, at least. I am not quite sure whether the offer of the *Times* is open to anyone in America who will swear against the hon. Member for Cork and his friends. I am not quite sure whether the solicitor for the *Times* has still the loan of that warders' key which enables him to go into any cell of Dartmoor or Millbank. But this I do know, that if at any future time another set of documents is required to incriminate public men the world will want answers to these questions—"Where did you get them from? How and under what circumstances did you get them? From whom? When? For how much? With what money? Supplied by whom?" Some of these questions have been answered in the matter of the letters of the *Times*, but some remain unanswered, and will have to be answered some day. The Government lie under a very serious obligation to the Members for Ireland, for it was the action of the Government that caused the delay before the letters could be proved to be forgeries. It was solely the action of the Government which prevented these forgeries being exploded long before. More than once the Government were asked to grant a Committee of Inquiry, and on each occasion they replied "Go to a Court of Justice." Before this Government had anything to say to it, this House, as we knew it, was a Court of Justice to which the humblest of its Members could appeal. But you have changed all that. You asked the hon. Member for Cork to clear himself in a Court of Justice. There was something plausible in that at the time. Although the refusal of the Government amounted to withholding from the hon. Member for Cork what was his Constitutional right, there was at first some plausibility in the suggestion that he should betake himself to a Court of Law, but after the trial "O'Donnell *v.* Walter" such a suggestion could no longer be urged innocently. After that trial it became manifest that had the hon. Member gone to a Law Court he would have been in this position. The Attorney General would have opened his whole case as to the letters, but he would have declined to produce Pigott. Who would have produced the letters showing that they came from "the confederate of the man Charles Stewart Parnell?" Where did the hon. and learned Gentleman get that expression from? Houston would have been the available witness—Houston who received thanks for the services he had rendered—and he would have told the tale with his lips, and with not one scrap of paper in his possession to aid him. I ask any lawyer versed in criminal practice how the hon. Member for Cork could have proved the letters to be forgeries when he could not have got at the man from whom they had been procured? There would have been on the one side the hon. Member's unsupported assertion that the letters were forgeries, and on the other the experts' evidence and the corroborative evidence of your Delaney. The suggestion that the hon. Member should have adopted this course is farcical. And after the manner in which the trial of "O'Donnell *v.* Walter" was conducted, it could not have been put forward honestly as a proper solution of the question. If the mere statement of the hon. Member for Cork that the letters were forgeries was so likely to find acceptance with 12 London jurymen, surely it ought to have found acceptance in this House. Never have I heard a more solemn denial than that given in this House by the hon. Member for Cork. The hon. Member said—

> "I denounce that letter as an absolute forgery. I never wrote it; I never signed it; I never authorised it to be written; I never saw it."

Has that bold and direct denial found credence in the House of Commons? It has not been believed by hon. Gentlemen opposite, and is it more likely to be believed by a jury whose prejudices can be appealed to? To tell the hon. Member for Cork to go to a Court of Law was a cruel mockery. We heard the right hon. Member for West Birmingham ask what is the difference between a Committee

and a Commission. I will tell the right hon. Gentleman in two words—where the Commission left off inquiring, there a Committee would have gone on. I say this, that if you are to inquire up to condemnation point, and there erect a screen beyond which you cannot search, and, in addition, if you are to make the leaders responsible for the action of their most obscure and remotest followers, then I tell the right hon. Gentleman that the leaders in the Reform agitation, the Corn Law agitation, and every other popular movement that has ever taken place would not have escaped censure, and severe censure. Had a Committee been appointed to inquire into the charges made against the hon. Member for Cork and his friends it would have gone into the circumstances of the time and the country, and the whole history of Ireland for the last 20 years. It would have paid due attention to the rejection of the Compensation for Disturbance Bill, and would have passed judgment respecting wholesale evictions heartlessly carried out. It would have recognised that in Ireland there always has been a wild feeling of revenge ready to spring into action; and that, at least, the hon. Member for Cork and his friends deserve thanks for having disciplined the rugged peasantry of the South and West. The *Times* made minute and searching inquiry, but I presume they looked at all those charges through a magnifying glass, until the more heinous they appeared the more the *Times* were inclined to believe that these letters were just the sort of communication the Member for Cork would have written. Now, let me say a word or two about the action of the Attorney General. I want to know what inquiry he made? Because his action in this had a great deal to do with the appointment of the Commission. It was the confident tone of the hon. and learned Gentlemen, when he said he was prepared to prove the whole case that he had opened, that the evidence was ready when wanted, that made the position of hon. Members on these Benches intolerable. I know that the Attorney General says now that he was speaking, not his own opinion, but from instructions. I deny his right to speak in this House from instructions. The great abilities and character of the hon. and learned Gentleman have placed him in an exalted position, but in this matter he has no more right to shelter himself behind that plea than I have. When we enter these doors we have equal rights. There is no distinction of persons here, and we all speak under the same limitations and with the same responsibilities, and the hon. and learned Gentleman is as much bound as I should be bound, to have solid ground and justification for charges made against his Colleagues. It seems to me that the position of the hon. and learned Gentleman has complicated the issue very much. At one time he is counsel in the case. As such I admit his right to speak from instructions. But then he comes here, and is the Attorney General of the Government; I might say the Attorney General of the House, for he is obliged to receive instructions from the House as well as from the Government. In addition to all this he is a Member of Parliament, but he seems to have forgotten when he made such charges as these against some of his Colleagues that he was bound to satisfy himself that he could prove them. What would be said of me, or of any other Member, if I or he brought a charge of the grossest corruption against the hon. and learned Gentleman, and when brought to book said, "Oh! a very respectable solicitor of my acquaintance told me it was so. He said he got it from a man he met in the street, but did not know anything about him. He told it to me, however, and I just passed it on." Should I escape under such circumstances the just indignation and severe condemnation of the House for adopting such a course of conduct? I venture to assert that the hon. and learned Gentleman has absolutely no other rights than those possessed by all Members of this House. He might have kept silence. I know that he was attacked, and that questions were asked of him, but if he had meant to shelter himself behind the plea of instructions, he should have used that plea in a Court of Justice, and not on the floor of this House. But perhaps the experience we have had in this case will go a long way towards clearing up the difficulty which many of us have long seen surrounding the habit of allowing the Attorney General to take private

practice. Now, I should like to ask what is the rule of the Bar about a counsel satisfying himself on matters of such grave importance? Is it true that, in the matter of making such awful charges, and particularly against the colleagues of the counsel who would have to sustain them, it is not the duty of the counsel personally to satisfy himself that the evidence is sufficient to support those charges? I cannot believe it is true that a counsel is bound only to take instructions from a solicitor, and that he is not bound in such a matter to make inquiries for himself of those who are instructing him. If it were true, I fear that many men would hesitate to link themselves with the noble profession; but I am satisfied that it cannot be the case that counsel is absolved from that duty as completely as the hon. and learned Gentleman wishes us to believe that he is in this matter. Now the Government have been closely connected with this Commission. They have done all they could to assist the *Times* in this inquiry. If they deny that, I would ask them to point to one single step that by any possibility they could have taken to assist the *Times* which they have not taken, and taken over and over again. No; we had the frank admission last night from the Chief Secretary for Ireland that he had done all in his power to aid the inquiry, and that he would be ashamed of himself if he had not——

*MR. A. J. BALFOUR: I stated last night, and I say again, that I did everything in my power to aid the inquiry, and that I gave every facility to the *Times* I legitimately could, and every facility to hon. Members below the Gangway.

MR. WHITBREAD: The right hon. Gentleman will, I hope, not think that I am wilfully misquoting him; but the words I have given I took from the *Times* this morning, and the right hon. Gentleman added that it was the duty of every citizen to aid to the best of his ability the inquiry before the Commission.

*MR. A. J. BALFOUR: Hear, hear.

MR. WHITBREAD: But what happened before the Commission? There were two parties to the inquiry; which party did they aid, and to whom was the aid given?

*MR. A. J. BALFOUR: It was given to the Commission.

MR. WHITBREAD: That statement reminds me strongly of the statement of the *Times* counsel, that he did not make any charges. In whose interests were convicts brought from Ireland to be examined before the Commission? In whose interests were the files of the Home Office ransacked, and the Police Inspectors brought away from their duties in Ireland and crowded about the Courts here? You will have a hard task to persuade the people of this country that all this was done to aid that abstraction called "the Commission," and that the Government have not done all they could in furtherance of the *Times* case against the Irish Members. The Government have profited by the forged letters and by *Parnellism and Crime;* and now that the Report has come, and the worst charges have been blown to the winds, Ministers come down and express to the House their immeasurable satisfaction that the hon. Member for Cork has been cleared of the gravest of the accusations brought against him. They say that to the House and in the country, because they dare not use any other language before an audience of their countrymen, whether that audience be Tory or Liberal. Even the Postmaster General has launched out into heated language against the conduct of the *Times;* and the Leader of the House has said that he cannot find words strong enough to express his detestation of the manner in which these letters have been published. Again, the Chief Secretary has declared that he is ready to use language as strong as we like in condemnation of the *Times.* We do not ask the right hon. Gentleman to use any strong language; but we ask you to do the Irishmen the smallest act of even-handed justice. You have refused to put the expression of your satisfaction on paper; all we now ask is that there should be some record of these sentiments placed on the Journals of the House, and that there should be a formal entry on paper of the opinions which have been so repeatedly avowed *vivâ voce* in the House.

*(6.42.) MR. JENNINGS (Stockport): Sir——

*MR. DE LISLE (Leicestershire, Mid); If the hon. Member is not going to move

his Amendment I presume he is in order.

wish to point out that my Amendment precedes his.

*MR. JENNINGS: I am not rising to move my Amendment. I propose instead to speak on the Main Question, for unexpected circumstances have arisen which render it desirable I should make my statement at this stage of the debate. I came down to the House in the expectation that my Amendment would shortly have come up for discussion. I must say I was not prepared for the tone and manner of the speech delivered by my noble Friend. The delivery of a speech so hostile to the Government just before I was to explain a difficult proposition to the House has placed me in a position of very great embarrassment. It is often said out of doors that I derive my opinions entirely from the noble Lord. But occasionally, as on the present occasion, I am capable of forming my own judgment. My Amendment is not framed in a spirit of hostility to the Government, whilst it is intended to be perfectly fair to the Party opposite. I believed from the first that the Commission was a mistake, and that the disputants should have been left, as other people are, to settle their own affairs before the ordinary tribunals of the country. But, the Commission having been appointed and having reported, I was firmly convinced that it would have been better to allow matters to remain as they were, and that there was no obligation on this side of the House to take any formal notice of the Report, and still less to make a record in the Journals of the House. Moreover, it has not been the custom in this country to pass a solemn vote of thanks to Judges for the impartial performance of their duty. Hitherto, learned Judges have performed their duties without asking or expecting any such certificate of impartiality; and if this precedent is followed, the time will come when no Judge's history will be complete without a testimonial from a political party, certifying to his impartiality, The Resolution before the House is, after all, only a Party Resolution. This case is very different from others in which Parliament passes a vote of thanks to distinguished persons for eminent services rendered, for in such cases the vote of thanks is the unanimous vote of Parliament; but this vote of thanks will be a mere Party vote, and the Judges will probably receive it with some reluctance. I desire to rise at this time because of the speech of the noble Lord, which has thrown our proceedings into some degree of confusion. The noble Lord has a genius for surprises and sometimes they take the best of his friends unawares. The speech of the right hon. Gentleman the Member for Birmingham raises distinctly the issues which I desire to put before the House. He asks why the House should be asked to express an opinion on certain of the charges and leave the others untouched. There appear to me to be three sound reasons for taking such a course. The charges of murder and complicity in murder stood out from all the others, and must have been intended by those who launched them so to stand out. These charges were intended to impress the popular imagination and to cause a feeling of horror throughout the country. When they were devised it was scarcely conceivable that they were not aimed at the destruction of a Party as well as the ruin of individuals. In the second place, there was a marked difference between these murder charges and the other charges in regard to the penalty incident to them. It must generally be admitted that if the murder charges had been brought home against hon. Gentlemen opposite, this House could not have rested satisfied with merely entering this Report upon the Journals of the House. The House would have been called upon to expel those Members against whom those charges were held proved, and still severer penalties would have awaited them outside. It thus appears clear that if these murder charges had been established, the House would have been called upon to take different action from that now suggested. Why, then, since these graver charges have not been established, should not a special Resolution be adopted with regard to them? In the third place, these charges of complicity in murder were the only charges which the Commissioners investigated on every side. With regard to the other charges, the Commissioners were restrained, as they themselves stated, from inquiring into the circumstances of the time, and how far these circumstances palliated the acts alleged. This was a serious limitation. The state of Ireland, the social condition

of the people, the grievances from which they were suffering, the distress due to excessive rents, and the confiscation of their property—all these were circumstances which had to be eliminated from the inquiry into the minor charges. But in regard to the murder charges, there were no restrictions or limitations whatever. And in regard to these murder charges the findings of the Judges are clearer and more emphatic than on any of the others. Such are some of the essential and most striking points of difference between the charges of boycotting and intimidation and the charge of base, diabolical, and cold-blooded complicity in murder. Therefore, I say with regard to what the Judges call the special charges, there are special reasons why the House should expressly acknowledge that they have been disproved. Let me further endeavour to prove this by recalling to the mind of the House the origin of the Commission. The Commission was not called into existence because of the charges of boycotting and intimidation. For these offences many of the respondents had already been imprisoned and punished, some of them severely. The hon. Member for Cork was placed on his trial in 1881 on charges directly arising out of cases of boycotting and intimidation, and it was found impossible to secure a conviction against him. No, it was not on account of the boycotting and intimidation that the Special Commission was constituted; it was not appointed to try hon. Members on charges for which most of them had already suffered. It was in consequence of the thrill of horror that passed through the country at the announcement that letters had been discovered involving the hon. Member in charges much more terrible. We must all of us remember the effect of that announcement. People talked of nothing else. A good many said they had always suspected hon. Members of such practices, others expressed a hope that the charges would be disproved, and sometimes, when I listened to this expression of hope, I could not help suspecting that it was only of that chastened description which enables us easily to survive a disappointment. And since these graver charges have been dispelled, I do not find in some quarters any great eagerness to congratulate the hon. Member for Cork on having been thoroughly cleared from them. Indeed, even now there are some persons who suggest that the hon. Member may nevertheless be guilty, though the crime has not been brought home to him. When it is said that there is no distinction between the charge of boycotting and intimidation and that of complicity in murder, and that I am guilty of a wicked insidious plot against the Government because I seek to draw this distinction, I will ask the House to recall what were the contents of the forged letters and what they purported that the hon. Member for Cork had done. As for myself, I always avowed my disbelief in those letters, and I long ago told my constituents that I believe the leaders of the Party opposite to be as innocent of blood as my own children. The letters made out the hon. Member for Cork to be a cold-blooded instigator of assassination; even Macbeth himself did not carry on such a traffic with cut-throats. One letter makes him write to a group of assassins in an impatient spirit asking why they delayed murder. Why don't you use the knife and use it promptly? In another he is made to say—

> "You undertook to make it hot for Forster and Co. Let us have some evidence of your power to do so."

Can anyone suppose that the allegation that such letters were written by a leading public man in this country would fail to produce a terrible feeling against him among the people? Can it be supposed that the publication of the letters was not intended to bring the hon. Member to shame and ruin, and to bring down his Party with him? In another letter to another group of assassins the hon. Member for Cork is made to express his satisfaction that Mr. Burke had got his deserts in the Phœnix Park, and he is made further to suggest that if by any chance he uttered an expression of discontent or regret at the crime it was only in deference to public opinion in England. In another letter he is made to send money for purposes which the previous letters made clear. And these fearful letters were driven home day after day by the paper which published them with all the skill which ingenuity could suggest. You must remember that there was not only the production of a letter, but there was the production of a narrative which made the letter fit into

the hon. Member's life. It was said that the hon. Member was released from Kilmainham, that he was met by F. Byrne at the railway station, and that the same evening Lord F. Cavendish and Mr. Burke were stabbed to death in the Phœnix Park. When all these charges were brought against the hon. Member, never was a man placed in greater jeopardy. The story is so constructed that when once the net was thrown over the hon. Member it was almost impossible for him to escape from it, and it is a matter of constant wonder to me that he has been able to escape. Though my hon. Friends on this side of the House oppose the hon. Member's policy and disapprove his methods, still there ought to be some feeling of sympathy for him on account of the diabolical charges of which he has been made the victim, and which he has had to endure so long. In a thousand forms we were told day after day that the hon. Member and his friends were the associates of murderers and assassins, that murderers shared their counsels, and that murderers had gone forth from their offices to do their bloody work. These were the charges which brought the Special Commission into existence. It is not fair to try and smother all of them together under a Blue Book. Boycotting, intimidation, receiving money from America—all these things we knew in 1885, when, as we were reminded last night, some upon these Benches were not above receiving the support of the hon. Member's Party. ["No."] An hon. Friend behind me says "No;" but I know other hon. Gentlemen who have received that support, and I do not mind acknowledging that I received it myself. We did not go about at that time asking for a Special Commission to inquire into the charges. No; we took what hon. Members opposite had to give, and we swore friendship with them. ["No, no."] We had a friendship with them. Our leaders were friendly with them. There was no reason on earth why we should not receive the support of hon. Members at that time. It was a perfectly honourable thing; we had no feud then with the Irish Party. We had avowed before the country that we should endeavour to govern Ireland without coercion. We made an honest attempt to do so, and there was no reason why we should not receive the support of the Irish Party. They gave it not because thay loved us, but because they hated our opponents. But what amazes me more even than the shortness of memory of my hon. Friends is that they are prepared to repudiate the fact that we had friendly relations with hon. Members opposite in 1885. I neither repudiate the fact nor am ashamed of it. Our leaders encouraged us to receive their support, and under the conditions then existing, there was no reason why we should refuse it. I, for one, did sincerely hope that the days of coercion were over. We have lived to see great changes. But it is doubly incumbent on any of us who in 1885 received the support of the Irish Party to protest now against any wrong being done to them. I say that a Resolution, without any qualifying clause relieving those Members finally from the charge of complicity with murder, will do them an injustice. I should, therefore, have been glad if the First Lord of the Treasury could have seen his way to express something of the kind in his Resolution. I think I have shown that the Special Commission would have never existed but for the murder charges. The Commissioners say that as soon as the Phœnix Park murders were discovered, Mr. Parnell, Mr. Dillon, and Mr. Davitt issued a manifesto earnestly denouncing them. They say that the hon. Member for Cork and his friends did not associate with murderers; that there is no foundation for the charge that the hon. Member was intimate with the leading Invincibles; and they entirely acquit him and the other respondents of insincerity in their denunciation of the Phœnix Park murders. That is an entire acquittal which they may receive with satisfaction. But before they reached that result they had a long and weary road to travel. A charge of murder does not sit lightly upon any man. However callous he may be, he must suffer acutely under such a charge. For months these hon. Members were forced to go among their fellows with this charge hanging over them, and every morning their accusers in the Press branded them as murderers and assassins. When I look back upon these circumstances I cannot but think that these hon. Members are entitled to more satisfaction and redress than they have received.

The Resolution is one in which all reference to these murder charges is carefully avoided. I admit that it does not refer to the other charges; but there is a special obligation on this House to refer to the murder charges, because they brought the Special Commission into existence; but for those charges we should never have had a Special Commission. We now place the murder charges exactly on a level with the most trivial accusations—on the same level as the question whether Patrick Ford had sent a cheque for £1,000 to the hon. Member for Cork. The right hon. Member for Birmingham (Mr. Chamberlain) has dealt with the whole case to-night in the emphatic manner with which he usually settles everything. The right hon. Gentleman reminds me of the description given by a very eminent Member of this House of another Member—he is "a highly superior person." His arguments were so superior that they required particular attention before one could see the point of them. We are told that the murder charges are of no more consequence than the others. The House did not think so when it appointed the Commission, and when some persons expected, and I am afraid, some hoped, that the murder charges would be brought home. It is said that regret has been expressed in the speeches from both sides. It is true that some gentle expressions of that kind have fallen from the lips of some hon. Members; but in the only permanent record which is to remain of this debate, the Resolution to be placed on the Journals of the House, no word of sympathy or regret appears. It is to plead for some such expression being added to the Resolution that my Amendment was placed on the Paper. ["Oh!" from Mr. LABOUCHERE.] I do not know why the hon. Member for Northampton cries "oh." The hon. Member is possessed of so much secret information about everybody that perhaps he can explain the mystery of the speech we have heard to-night. At any rate, he will have an opportunity of stating his views later on. I ask the House once more to consider the fact that the House itself brought the Commission into existence, and that it is its duty now to acknowledge that the main spring of the Commission was broken. That is the view I have taken from the first, and which I should have been glad to have urged at greater length and with much stronger reasons. But I must admit that the course which I had intended to take is rendered impossible by the observations of my noble Friend. I did not put down my Resolution originally in a spirit of any hostility to the Government, but in a spirit of fair-play to hon. Members opposite. The feeling of hostility to the Government has not proceeded from me, and I decline to be identified with the movement made this evening, which is distinctly of a character which I repudiate. Let there be as much criticism of the Government as hon. Members please; I have myself made criticisms on one or two occasions. But I do not approve of seizing such a moment to make a somewhat deadly attack on the Government on account of its policy, with respect to the Commission, from first to last. My disagreement with the Government was on the point of their Resolution, which I believed to be intrinsically unjust as it stood, and which I desired to amend. Had I been permitted to pursue that course, and move my Resolution—[*Home Rule cries of* "Move"]—I do not say I should have succeeded, but at least every one would have had an opportunity of expressing their opinion upon it. The hon. Member for the Middleton Division (Mr. Fielden) has expressed incredulity of my repudiation of hostile intentions towards the Government. But the hon. Member was not above asking my aid when he went before his constituents, and he was not above pretending to be very much in favour of the opinions which I advocate when I was addressing his own constituents. There is a considerable Irish element in the hon. Member's constituency, and the hon. Member thought it useful sometimes to have the assistance of one who had never assailed the Irish Members. But now the hon. Member comes down to the House and interrupts me when I am asking for simple justice to them.

MR. FIELDEN (Lancashire, Middleton): I beg the hon. Gentleman's pardon; I have not interrupted him in any shape or form.

*MR. JENNINGS: The cries of "no," at any rate, proceeded from exactly where the hon. Gentleman is sitting, but doubtless they came from an

apparition. I was anxious to place upon the Records of the House that acknowledgment which others may deem superfluous, but which I believe to be necessary to complete the Resolution. With this statement of my reasons my interposition in the debate must close. If the evening is to begin with a fierce assault on the Government, and the Amendment is to be represented as having been planned as a deliberate plot against the Government, the Party which I have always served to the best of my ability and power will be injured, and harm will be done. I dissociate myself from all such treacherous attempts to stab the Government in the back. I will fight the Government in the open on points upon which I differ with them, but I will not be led astray by the device which has been attempted this evening to give a totally false and injurious character to this debate. Under these circumstances, I beg to decline to move my Amendment.

LORD R. CHURCHILL: In making the remarks which fell from me to-night at the commencement of the sitting, I did so because I felt that they were remarks entirely pertinent to the main question, and they had nothing whatever to do with any Amendment. I felt it would be a more proper Parliamentary course to make those remarks before any Amendment was moved. That was the only deadly desire I had towards the Government.

(7.20.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): Mr. Speaker, the debate this evening began with a speech from the noble Lord the Member for Paddington (Lord R. Churchill). I must say I thought that the speech of the noble Lord would have been more appropriate on the Second Reading of the Commission Bill than at this stage of affairs. The noble Lord, too, was followed by an hon. Gentleman who is supposed to have more or less political association with him, and who said that he could not approve or support the noble Lord's speech. This debate has been thus landed in considerable confusion; but I hope that it will be possible to continue it with some clear idea of the object which we have in view, as far as the Government is concerned—that is, to place a thoroughly fair and impartial record on the Journals of the House of all the proceedings of the Commission. The hon. Member for Stockport (Mr. Jennings) said something of the relations of his Party with the Irish Party. I was a Member of the House at the time to which he refers, and he was not; and I may know as much as he knows of the relations that existed. I say emphatically that any understanding between the two Parties, any arrangement between them, or any close association, did not exist. I positively deny it. Both Parties, it is true, were opposing the right hon. Gentleman the Member for Mid Lothian, and the policy which he pursued; and, as fighting in the same cause, and in that sense alone, they may have been allies, but in no other sense whatever. I am glad the Amendment has been withdrawn, because it resembles the Amendment of the Member for Mid Lothian in dealing with only one point of this Report. It asks us to censure the *Times* for charges of direct complicity with murder against hon. Members, which were based on forgery. If that had been the only charge which had been made, there would have been no hesitation in accepting either of the Amendments which have been before the House. But that was not the case. Many other charges were brought forward. Neither the Government nor Parliament had any more to do with any of these charges than hon. Members themselves, although Government and Parliament, and especially the House of Commons, were responsible for this Commission, the findings of which, now that its labours are concluded, we are bound to take into our view and impartially to consider. It is seen that while some charges were neither proved nor disproved, and while some were happily entirely disproved, yet, with respect to others, hon. Members opposite have been pronounced guilty. We have that information officially before us, and it is impossible for the House of Commons either to shirk or to evade the consideration of that fact. We must ask, are the charges proved against hon. Members of a character and gravity to deserve our condemnation, or are they not? If they are, then it is no palliation of them whatever to urge that hon. Members have been acquitted of other offences of which they were falsely accused. For instance, if a man is con-

victed of perjury, his position is no whit better because it is proved at the same time that he has been falsely accused of forgery also. That argument applies closely to the case of hon. Gentlemen opposite. If the charges proved are held to be charges deserving serious reprobation, it would be absolutely impossible to accept an Amendment which deals with only one point. The hon. Member for Bedford (Mr. Whitbread) said that we had embarked upon an un-Constitutional course, and that we must go through with it to the end. We have every intention of going through with it to the end, but we deny that it is un-Constitutional. If there is an offence of which we are guilty, the hon. Member himself is no less guilty than ourselves; for, sitting as one of the oldest and most respected Members of this House, and as a man of great Parliamentary authority, no one is more to blame than himself for not having voted against the Second Reading of the Bill, if he regarded its acceptance as an un-Constitutional course. The hon. Member talks of our denunciation of the Irish Party. Does the hon. Member recollect the denunciations which came from his right hon. Friend the Member for Derby (Sir W. Harcourt)? Neither the charges of the *Times* nor anything said on this side of the House can compare in gravity for a single instant with the charges which the Member for Derby made some years ago. They have often been alluded to, and I much regret the right hon. Gentleman is not here just now. He told us the other day that he would not stay here to be abused, but he must not be surprised to hear his language referred to again. The right hon. Member for Derby has not only charged Irish Members with preaching doctrines of treason and assassination, but he said he knew of their doing it as one who was responsible for the peace of the Queen's dominions. A graver or more serious charge was never framed by a responsible Minister of the Crown. How did the right hon. Member know it, and what was his authority? These are things he has been called upon to explain, and has never attempted to explain. Either these charges were true or they were not. At Bath the right hon. Gentleman accused the *Times* of calumny, falsehood, and lying, because it made charges less grave than these. Was it falsehood, calumny, and lying when the right hon. Gentleman made these charges? If they were not true, I say that expulsion from the House and from the society of gentlemen for ever would not be too severe a penalty for an offence of that kind. If, on the other hand, they are true, what are we to think of his present position in defending the very people whom he had so savagely accused? I hope we shall not hear any more of charges against us on account of our treatment of hon. Members opposite, when it is remembered what was said against them by the right hon. Gentleman with official knowledge and on his responsibility as a Minister of the Crown. The hon. Gentleman opposite said that but for the letters there would have been no Commission. But what is the result of the Commission? It has been that the charges which were not true have been disproved, and the charges which were true have been proved up to the hilt. Is not that a result at which even the hon. Member himself might feel some satisfaction? He asks who has profited by what he calls the assistance of the Government. Why, those who always profit; those who are innocent profit, and those who are guilty suffer. That is the result that might commend itself to any hon. Member. The forged letters, he said, were almost the most important part of the question; but I never thought that they were, never for a moment. I never thought for a moment that they would be proved. The only time I spoke on the question, except a week or two ago at Cambridge, was when the Bill was in Committee; and, speaking below the Gangway as an independent Member, I assumed, as a matter of course, that the hon. Gentleman opposite did not write them; I repeated that on two or three separate occasions, and I have reason to know that I expressed the opinion of several Gentlemen sitting around me. [Mr. LABOUCHERE: No.] What can the hon. Member know of my relations with hon. Members on this side of the House? He cannot know much, and I hope he never will. I do not by any means think time has been wasted by this debate, for by it light has been thrown on many matters of great importance which before it were by no means clear. We have

learned, in the first place, the true cause of the great increase of crime in Ireland; in the second place, we have had much light thrown upon the real character of the Irish movement; thirdly, we have learned with some accuracy what are the methods by which that movement has been made thoroughly effective; fourthly, every man in this House will now be able to judge for himself of the danger or the safety of relying upon a change of opinion which we are told has occurred in the minds of the leaders of the Irish Party with regard to what undoubtedly was the ultimate object they had in view. The increase of crime has been traced distinctly to the Land League, and nothing else—not to the causes which have been commonly held up as bringing it about. It has been made clear by the Chief Secretary that evictions were not the cause, and he quoted a passage to that effect from a speech by the right hon. Member for Mid Lothian. There is remarkable evidence on this point in the Report of the Judges—evidence which places it beyond the region of dispute. The right hon. Member for Mid Lothian, with something short of the respect for the Judges to be expected from him, said it was the most astounding assertion he ever heard that the rejection of the Compensation for Disturbance Bill by the Lords was not a cause of the increase of crime in Ireland. A very little study of the Report would have shown that the Judges had the very strongest ground for making this assertion. How was the Bill received by the Irish leaders at that time? Speaking with full and complete authority on behalf of the Irish Party, on November 1, 1880, Mr. Biggar used these words—

"Now, this Compensation for Disturbance Bill was a Bill which I say deliberately it was an outrage to the understanding and intelligence of the Irish Members and of the Irish people to propose a Bill such as was called the Irish Disturbance Bill of last Session."

In the face of that opinion, is it possible for the right hon. Gentleman to justify his statement that the Judges are guilty of making an astounding assertion? I am the less surprised at the extreme annoyance displayed by the right hon. Gentleman; because for years it has been the stock argument and favourite excuse of the right hon. Gentleman, so far as I know invented by himself, that the rejection of the Bill was the cause of excesses in Ireland. Their real and true origin is now finally unmasked and disclosed by a process which is distasteful to the right hon. Gentleman and his friends, whose stock argument is shattered and scattered to the winds. The right hon. Gentleman said that one ground for the severest censure of the *Times* was that it had been careful not to know the truth about the forged letters; and it would be no injustice to retort on him that he is not less guilty in being careful not to know the truth about the cause of the increasing crime in Ireland. As to the character of the Irish movement, I entirely endorse all that fell from the Chief Secretary last night, when he said that one of the charges against seven of the respondents was this—that they joined the Land League with the purpose of bringing about a separation of Ireland from England. I agree with my right hon. Friend that the idea of separation is not dead. Here, again, I must call attention to the complaint that the Judges did not point out the time at which this occurred. At page 15 of the Report it will be found that the Judges say that the Land League was started at a Conference which was held on October 21, 1879, at the Imperial Hotel, Dublin, when Mr. Parnell was elected President, when Mr. Kettle, Mr. Davitt, and Mr. Thomas Brennan were appointed Secretaries. What was the principle upon which that League was organised? It was clearly set forth in a letter which Mr. Davitt wrote to the Secretary of the League in 1880, in which he said—

"I maintain that it was the complete destruction of Irish landlordism, first as the system which was responsible for the poverty and periodical famines which had decimated Ireland; and, secondly, because landlordism was a British garrison which barred the way to national independence."

"Oh, but," says the right hon. Member for Mid Lothian "all this took place 10 years ago. These are old stories. All that is changed now and the idea of separation is altogether dead." But is it dead? What have the Judges to tell us upon that point, and let us see what Mr. Davitt himself said with regard to it in the witness-box. The Judges say, in page 31 of the Report—

"The acts and speeches of Mr. Davitt explain and illustrate the position he had adopted.

Still a Fenian in sympathy, if not in actual membership, and still actuated by a desire, not only to abolish landlordism, but to bring about a total separation of Ireland from England. . . . He avowed in the witness-box before us that the principle upon which he had always acted was to make the Land Question a stepping-stone to complete national independence, and he concluded, 'I wish to God I could get it to-morrow.'"

Does that bear out the right hon. Gentleman's assertion that the idea of separation had died at least 10 years ago? Everyone knows the position that Mr. Davitt occupies in the councils of the Irish Party, and no one can deny the ruling and controlling influence which he exercises over that Party. I confess I never heard a statement made in Parliament by a man in a responsible position which more surprised me than that of the right hon. Gentleman, that the idea of separation is altogether dead. The Judges continued—

"For this he, in conjunction with others, had created the Land League, and drafted its constitution, started the necessary agitation, and induced Mr. Parnell to adopt his methods."

I want to go a little further, because I want to get at the grounds upon which the right hon. Member for Mid Lothian made that assertion as to the idea of separation being altogether dead. One thing is perfectly certain, namely, that the idea of separation was alive and flourishing not very many years ago. My right hon. Friend pointed last night to a speech delivered by the hon. Member for Cork in 1885 at Castlebar, and I wish to point to a sentence uttered by the hon. Member in the same year at Cork to this effect—

"No man has the right to fix the boundary to the march of a nation. No man has a right to say to his country 'thus far shalt thou go and no further,' and we have never attempted to fix the *ne plus ultra* to the progress of Ireland's manhood, and we never shall."

Of course, if the hon. Member for Cork had said that the idea of separation was dead he would have pronounced the *ne plus ultra*, and he would have been doing the very thing that he said he would not do. Does the right hon. Gentleman rely for the accuracy of his assertion upon the statements of the hon. Member for Cork? If that is so, I must ask this question—Is the hon. Member for Cork a witness whose testimony can be relied upon? In that case I am bound to say that, from a very careful study of the Report, it contains nothing that would lead us to take that view. I regret to find that on more than one occasion the Judges entirely disbelieved him on his oath. ["Oh!" *from* Mr. LABOUCHERE.] I will give the hon. Member the particulars. On one occasion the hon. Member for Cork made a statement on oath directly contradicting a statement he had made in the House of Commons. These are grave charges, I know, for one hon. Member of this House to make with regard to another hon. Member, and, therefore, it is only due to the hon. Member for Cork that I should give my authority for making them. On page 71 of the Report it will be found that the hon. Member for Cork stated in his evidence that he purchased the *Irishman* because it was a disreputable paper which he wished to get rid of. The Judges say—

"The *Irishman* newspaper had been the organ of the physical force or Fenian Party, and we draw the inference from Mr. Parnell's purchase of that paper, coupled with the manner in which it was conducted until its extinction in August, 1885, that Mr. Parnell's object was to address his Fenian supporters through that medium."

That is to say that the Judges disbelieved the hon. Member's statement upon oath that he bought the paper to get rid of it. I could give more instances of that kind, but I am afraid that I am trespassing too much upon the attention of the House. Everybody remembers the speech made at Cincinnati—the "last link" speech. What do the Judges say? I myself heard the hon. Member for Cork repudiate that speech as a calumny against him. But what do the Judges say?—

"The evidence leads us to the conclusion that Mr. Parnell did use the words attributed to him, and they certainly are not inconsistent with some of his previous utterances."

Again, in the House of Commons on April 28th, 1887, the hon. Member for Cork made a speech, and I beg to call the attention of hon. Members to the statements made by the hon. Member, first in the House of Commons and then in the witness-box, so that they may judge how far they can rely upon his testimony. In his speech he said distinctly that he had never paid Frank

Byrne a cheque for £100 except once, many years ago. But in the witness-box he said that just before Frank Byrne left England he did enclose him a cheque for £100 in a letter. Here there are two distinct statements—one made in the House of Commons and one made on oath—which are absolutely and completely destructive to each other. On another occasion the hon. Member for Cork in the witness-box distinctly swore that he had made a statement in the House of Commons by which he intended and wished to deliberately deceive the House. There can be no escape, therefore, from the conclusion that if the hon. Member for Cork thinks it necessary, or if it suits his purpose to do so, he will not hesitate to attempt deliberately to deceive the House. The Judges came to the conclusion that the hon. Member did say what was correct in the House, but the inference we are compelled to draw is that they were also of opinion that what he stated upon oath in the witness-box was not true. I did not desire to enter into this matter, and I should not have done so had it not been for the distinct challenge of the hon. Member opposite. In reference to this point I may say that no man has expressed a stronger opinion in reference to an attempt to deceive the House of Commons than the right hon. Member for Mid Lothian, who characterised such an attempt as the blackest and gravest offence of which an hon. Member could be guilty. In these circumstances I should like to ask him whether he still thinks that the assurances of a gentleman with such a record behind him are sufficient to warrant him in placing in his hands the weapon which at any time the hon. Member for Cork may use as the most powerful lever for the purpose of accomplishing his ultimate ends. The right hon. Member for West Birmingham has referred to-night to the statement of Mr. Dillon, that he had at last discovered the dodge for making it too hot for a man to take his neighbour's land. And what was that dodge? I could read case after case, in which the dodge was adopted, that would fill the mind of any honest man with horror. I will give two instances. The case of a man named Cronin, a tenant of Lord Kenmare, who did not even dare to have his rent entered in his pass-book. On the night of September 27th, 1881, two men came to his house, put the lamp out, and turned his wife and daughter out of the kitchen. They asked him if he had paid his rent. He said "No," and showed them his pass-book. This evidently was not believed by the men. They ordered Cronin to turn his face to the wall, and they shot him in the thigh. This was one of the means by which Mr. Dillon's "dodge" was made effective. There was a case in the year 1884. In September, 1884—and I want to cite this case in particular, because the right hon. Gentleman the Member for Mid Lothian in his speech said these cases did not belong to a later period than 1881; and this is another and very remarkable instance of the want of attention which the Member for Mid Lothian has given to this Report—in September, 1884, one Houligan had taken a farm from which a shoemaker named Kane had been evicted. At a meeting of the Killoo branch of the League, County Longford, Houligan's conduct was discussed, and John Jago, a member of the League, was appointed with Kane to assault Houligan. They afterwards did so, and Houligan died of a blow which he received. That happened, as I have said, in 1884, or three years after the Member for Mid Lothian said there had ceased to be any connection between this organisation and crime. I will not trouble the House at greater length. I think the bare recital of some of these cases is quite sufficient to convince most people of the necessity there was for a full and complete inquiry into this matter. I recollect the speeches of Mr. Dillon and his friends, and the manner in which they deliberately incited to intimidation, and persisted in that course knowing what it had led to in the past and must lead to in the future. I say deliberately for my part that I am unable to perceive any distinction between the moral guilt of a man who, on the one hand, is guilty of direct complicity in crime, and one who is, on the other hand, in indirect complicity with crime. The difference is of the most narrow and shadowy description. The Member for Derby said the other night we do nothing but repeat these personal charges, all of which are personal insults to the Gentlemen below the Gangway. All that we do is to recite some of the more

salient facts stated in the Report of the Commission, and if they involve personal dishonour that is the fault of the Gentlemen below the Gangway. It is their duty and that of their friends to get up and dispute them, but so far not one of them has attempted to do it. I hope I have given some reasons for justifying the course which we ask the House of Commons to take. You may say that we ought to have gone further. That is not my opinion, and I think there is a conclusive reason. In my judgment it would have been opposed to the letter, and certainly directly opposed to the spirit, of the Act which created the Commission. All we desire is that this impartial record shall be placed on the Journals of the House, and, when that is done, I for one shall have no doubt, and I never had a doubt for a single moment, of what the verdict of all honest men will be.

(8.30.) MR. LABOUCHERE (Northampton): I observe that the Minister of Agriculture has contributed a valuable disquisition on the Tory reading of Irish history and of the Commission Report; but his speech can hardly be deemed a valuable contribution to the debate, because the right hon. Gentleman seemed to forget he was addressing the House, and to imagine he was speaking to an audience of his bucolic followers, who were either unable to read or had failed to read the Report of the Commissioners. We have learnt simply nothing from the Minister of Agriculture, and we may, therefore, dismiss his speech as if it had not been made. With respect to the hon. Member for Stockport, I have not yet discovered why the hon. Member did not move his Amendment, or why, because the noble Lord the Member for Paddington protested against the Commission, the hon. Member should think fit not to move an Amendment to prevent the First Lord of the Treasury from ratifying an act which, in the hon. Member's opinion, was intrinsically unjust. But though a Tory has failed us, a Liberal Unionist will take his place. We hope that later in the evening the Amendment will be moved by the prodigal sheep from Barrow, who is probably tired with the husks on which he has been fed. The speech of the noble Lord the Member for Paddington is, in my opinion, an excellent, powerful, and Constitutional disquisition; and I expected to hear the right hon. Member for West Birmingham reply to the noble Lord. Not a bit of it. Instead of doing so, the right hon. Gentleman has done nothing but read to the House numerous extracts from speeches formerly made by hon. Members from Ireland. I had hoped that at this time of the day we had got rid of these stale extracts. The gentlemen who uttered them would not now justify every word they said during that period of excitement; but it is unfair, and a course not likely to unite England and Ireland, to be perpetually casting these extracts in their teeth. Having regard to the respective speeches of the right hon. Member for West Birmingham and the noble Lord the Member for Paddington, I think the best thing they could do would be to change sides in the House. If a makeweight were required, we should be perfectly willing to throw in half a dozen Liberal Unionists. I am surprised that the Minister of Agriculture should have passed over the speech of the noble Lord the Member for Paddington without any allusion, without a word. No Member of the Treasury Bench has yet risen to meet his objections to the action of the Government from the inception of the Commission to the present resolution. Considering that the noble Lord was formerly the leader of the House, I do think some Member of the Government should reply to him, unless, indeed, he has sunk so low in their estimation that they do not condescend to take the slightest notice of anything he says. In the view of those on this side of the House the noble Lord has considerably ripened, and I should not be greatly surprised, before many years are over, to find the noble Lord a good, sound Radical, instead of a sham Tory Democrat. The question at present is whether the House is to adopt this Report or not. I hold that the action of the *Times* in getting up evidence since the Commission sat has been proved to be so utterly scandalous that if the Commission had known it they would not have made the Report we are now considering. I hold that it has been proved that the leaders of the Government and their followers have acted in so extraordinary a way in in the aid they have given to the *Times* in getting up evidence that no hon.

Gentleman opposite can decide on this matter with absolute indifference of judgment. Indeed, it is almost indecent for hon. Members opposite to deem themselves the jury to judge and settle this matter. I will now call the attention of the House to the revelations which were made on Tuesday evening by the hon. Member for the Harbour Division of Dublin (Mr. T. Harrington). Certain telegrams were read from Mr. Soames to his agent in America respecting a visit to Sheridan. It must be remembered that at the time Kirby was sent to Sheridan the *Times* considered Sheridan to be a murderer—one of the basest and vilest of men. Those telegrams, however, proved that the *Times* sought, by means of a huge bribe, to induce Sheridan to produce certain documents and to swear to their genuineness. Fortunately, Sheridan was not the sort of man the *Times* thought him to be. He was a more honest man than had been believed, and Sheridan simply played with the *Times*, and gave them rope enough to hang themselves with. I can explain to the House what was the connection of the Government with those telegrams. The telegrams showed that in the middle of November, 1888, Kirby was with Sheridan tempting him. Early in December Kirby had left Sheridan and had gone to Colorado. On December 24 Kirby returned to England to discuss matters with Mr. Soames. In the middle of December it happened to come to my knowledge that the *Times* were endeavouring to get hold of Sheridan. I had a little pardonable curiosity as to what was taking place, and, as I had the advantage of knowing a good many gentlemen in America, I telegraphed to one of them, in order to see whether he would be good enough to observe what was taking place. My friend immediately started for the West, and at Kansas City he came up with two of Pinkerton's men and a man named Jarvis, who was a constable employed by the British Government. Pinkerton's agency is a great agency in America, and the Government employed Pinkerton's men to do some of their work. I gathered that there was an interview at Kansas between Jarvis and Shaw, another British constable who had been sent out to see Jarvis. Afterwards Jarvis went on and his friend followed him, running him down at Delnought, which is within a few miles of Sheridan's ranch. I am prepared to prove by any amount of evidence that Jarvis, who was a British constable, did go to Delnought on the 20th or 25th of December. What does this prove? It proves conclusively that the Government were aiding and abetting in this intrigue to get hold of Sheridan. Kirby had left in November, called home to discuss the matter with Mr. Soames. What do we find? Immediately Kirby left a British constable was sent out, had communication with Sheridan, kept watch and guard over Sheridan, letting the *Times* know whether Sheridan moved or what he did. He was absolutely in the service of the *Times*, although he was an official of the English Government. In January Kirby returned to Colorado Springs, and later on Mr. Birch, a solicitor, was sent out to meet him. The negotiations were renewed in November. Those negotiations amounted to this—"Give us documents that may injure the hon. Member for Cork; we do not care where you get them; we want them to be fairly good, something like Pigott's letters. We will pay you an enormous sum for them" (a sum of £25,000 or £50,000.) On June 19 Mr. Soames telegraphed to his agent—

> "Has he satisfied you as to the value of his evidence and existence of confirmatory documents? Reply, and I will then cable definitely. Are you satisfied he is acting straight, and will go on board with you? Cable fully."

Then on June 21 a telegram was sent to Mr. Birch, Colorado Springs, which said—

> "If he will show you documents, you all satisfied of their value as evidence, and he wire hand them over when transfer made and money paid, you may dispense with written statement till he is on ship. If he will not agree to this, it means he intends to sell us. Too late to cable money to-day. He gives no reason why he cannot do as asked."

What was the answer of the Attorney General to this damning evidence against his late client? First, the Attorney General said—

> "I speak now, not on my own behalf, but on account of Mr. Walter."

It is exceedingly difficult to disentangle the dual personality of the Attorney General. The hon. and learned Gentleman said that there was nothing which Mr. Soames or Mr. Walter had done of

which they need be ashamed; and he strengthened his opinion by making certain statements which were entirely incorrect. The Attorney General said that Sheridan, having asked £25,000, was willing to come down to £1,000, and that this offer was declined by Mr. Soames. Then another telegram said—

"Long interview to-day with wife, to-day privately; she gives positive assurance he will go if £1,000 is paid to her at once; thousand to him in gold in steamer leaving port; all the rest as cabled."

And the "rest" was that his ranch was to be bought for the enormous sum of £25,000, to be received in England when he had given his evidence. It was scarcely fair of the hon. Gentleman to say that Sheridan came down to £1,000. He should have taken care to see that those for whom he spoke gave some sort of proof that they were speaking correctly before he became their mouthpiece. The Attorney General also said that, Sheridan having asked £25,000, the negotiations were absolutely and unconditionally broken off in January, 1889, and that they were re-opened by a letter of Sheridan's in February. On December 10, Kirby, after stating that he had seen Sheridan and listened to the proposals, telegraphed—

"Must return on the 12th."

Soames replied—

"Court adjourned for five weeks; come home at once; I must discuss matters personally with you."

But no sooner did Kirby disappear than Jarvis turned up to keep guard over Sheridan, and a short time after Jarvis withdrew. Yet the Attorney General said that this amounted in February to an absolute and unconditional breaking off. On the contrary, the negotiations went on as before. Now I come to Mr. Soames himself, and I am sorry to say I shall have to charge that eminent solicitor with something more than inaccuracy. My hon. Friend the Member for West Belfast (Mr. Sexton) has spoken of there being some sort of subornation of perjury in this case, but I shall show that there was something very nearly approaching perjury. Even Mr. Soames was ready to perjure himself to meet the exigencies of the case. Mr. Soames had given evidence before the Court in reference to this Kirby and Sheridan incident. On December 14 Mr. Soames was cross-examined by Sir Charles Russell, when he denied that Kirby told him he had made an offer of money to Sheridan. But on March 14 Mr. Soames stated, in reply to Mr. Biggar, that Sheridan had asked him for £20,000 to come over, and that he immediately telegraphed to Kirby to come back. Now, by this answer Mr. Soames intended to convey an absolutely false impression to the Judges. He had telegraphed, but after Kirby had said he was coming back. Mr. Soames sent out Kirby to renew the offer and to get what papers he could, and yet on March 14 Mr. Soames made a statement to the effect that all negotiations had been broken off. On April 4 Kirby, his own agent, telegraphed from America that he was "again with Sheridan. *Veni, vidi, vici!*" I ask any independent Member whether Mr. Soames did not convey a false impression to the minds of the Judges? In the telegrams there is a most important sentence which has not been adverted to in regard to the evidence given before the Commission by Mr. Soames with respect to Sheridan and Kirby. On April 5, 1889, there was a long telegram from Kirby, in the course of which he said—

"If you want to take him (Sheridan) over you must amend your evidence as to his refusing to accept any sum to go over to make his life sure here."

"You must amend your evidence." Mr. Soames had sworn one thing to suit the exigencies of the case, but as a condition of bringing Sheridan over he was to swear exactly the reverse. The next telegrams were "Cannot make out part of cable as to terms," and "I am sending to you by Saturday week." What was then sent, however, does not appear. In the telegrams which we have there was not the slightest sign that Mr. Soames protested against the suggestion of Kirby that he should "amend his evidence," and swear precisely the contrary of what he had previously said. The Attorney General will remember that the Commission decided at its first meeting that a case should be made out by the *Times*. Apparently the *Times* had been under the impression that the witnesses would be called by the Commission and examined as witnesses of the Commission. Now, I wish to ask the Attorney General whether it was not the fact that

after it came to the knowledge of the *Times* that they would have to make out their case they made it known to Her Majesty's Government that they would not be able to go on with the case unless the Government gave them aid; and that the Government did thereupon agree to give them aid, or the thing would have broken down; and that this was the reason why agents were sent to Ireland and detectives employed in America and elsewhere to do the dirty work of the *Times*.

SIR R. WEBSTER: I will answer the question at once. As far as I know there is not the shadow of a foundation of truth in the statement. I never heard of it before, and if any such communication were made I was not a party to it, nor was I directly or indirectly concerned in it.

MR. LABOUCHERE: There is much the hon. and learned Gentleman does not seem to have heard of. I have great confidence in the hon. and learned Gentleman, but I have still more confidence in the Member for Bury, and I should like to hear a similar declaration made by that right hon. Gentleman, or by the First Lord of the Treasury or the Chief Secretary for Ireland. I should also like to see a Committee appointed to discover what really did take place, because I suppose it will be admitted that the *Times* was aided and abetted by the Government in a most scandalous and disgraceful manner. I think the Attorney General has been improperly used in this matter, and put by these men to very base uses. Indeed, I think we ought to append to the Motion of the First Lord of the Treasury some declaration that we protest against our learned Colleague's being treated so scandalously as he has been. For my own part, I consider that this debate has been exceedingly useful. We have had a valuable speech from the late leader of the Tories, and a still more valuable one from the Chief Secretary. Nothing, in my belief, will do us greater good in the country than the latter's speech, for there is an ungenerous tone about it which will be indignantly repudiated by the electors. The right hon. Gentleman went hammer and tongs for the *Times*, and associated himself with the *Times*. The Secretary to the Admiralty did the same thing the other day; and I feel sure that in the autumn hon. Gentlemen opposite will again and again tell their constituents that the *Times* did, on the whole, a most laudable and a most useful work. We do not expect a victory here. Our tribunal is outside, and already there have been indications of what the decision will be. You may vote down the Amendment of the Member for Mid Lothian and carry the Resolution of the First Lord of the Treasury, but you cannot vote down the St. Pancras election, or alter the figures in Lincolnshire. Even the most stolid Tory opposite must say to himself, "I will make hay while the sun shines, and remain here as long as I can, because when there is a General Election the place that knows me now will know me no more."

*(9.15.) MR. DE LISLE: With a painful sense of duty to my constituents, to my country, and to Catholic Christendom, I rise to move the Amendment which stands in my name. I do so in response to that solemn appeal addressed to Members on this side of the House about a week ago by the right hon. Gentleman the Member for Mid Lothian. He addressed us in authoritative and earnest tones as men, as Englishmen, and as Christians, to vote in this matter as our consciences dictated, and not as Members of a Political Party. With renewed assiduity I, to the best of my ability, studied the Report and the evidence placed before us by the Commission, which I had closely followed during its daily progress, and I came to the conclusion that in response to the appeal made I could not do less, though I might have done more, than move this Resolution. I cordially admit that the Amendment, as proposed by HerMajesty's Government, would, to my mind, be all that could be desired provided that it had been accepted in the spirit in which it was proposed to the House. The Motion which stands in the name of my right hon. Friend is of the nature of an Eirenicon, and expresses the wish that, so far as it is possible, bygones should be bygones, and that this House should look forward to a more peaceful and more generous future. But it has not been accepted in this spirit. A whole week has elapsed in the discussion of this great question, and during that time the utmost endeavours have been made to make Party capital and to

give a Party complexion to the vote we shall give to-night. Hon. Gentlemen opposite, no doubt, thought it expedient, as far as they possibly could, to make the Division a Party one, and no doubt they have succeeded. The vote which will be given to-night will not be looked upon as the voice of the House of Commons. No doubt it will be considered in the country to be the expression of the Tory or Unionist majority, and it will not add to the authority which the Report of the Commission possesses of itself. The Resolution which I wish to propose is this :—

"And this House deems it to be a duty to record its reprobation of the true charges of the gravest description, based on private and public documentary evidence, which have been proved against Members of this House and other persons; and while declaring its satisfaction at the exposure of twin conspiracies, the one treasonable and the other criminal, to which 52 Members of this House have been parties, this House expresses its profound sorrow for the wrong inflicted and the suffering and loss endured by the loyal minority in Ireland through a protracted period by reason of these acts of flagrant iniquity."

It may be urged as an objection that my language is too verbose. That is a point I am not concerned to discuss now. It is the language of the right hon. Gentleman the Member for Mid Lothian; but the facts, they are the facts proved by the Commission. I will now give my reasons why I entirely agree with the Motion of my right hon. Friend (Mr. W. H. Smith), as far as it goes, and then, if the House will have patience with me, I will briefly give my reasons why I consider it my duty to add the Amendment which I propose. I think it right that we should thank the Judges for their just and impartial conduct in the discharge of difficult duties which they were not bound to have accepted, and I have no doubt they accepted them with reluctance. Secondly, I support the original Resolution because it places on record a true and impartial history of the Home Rule movement from the year 1877 to 1885. I daresay there are hon. Gentlemen opposite who think that the history unfolded in these 150 pages is not an impartial history. But I am glad that we have now a document before us of such commanding authority that those of us who desire to say nothing but the truth, we may confidently appeal to. It is a history of the agitation, and gives facts which are not controverted; it is a source of knowledge to which we can confidently apply when we desire to put this matter before our constituents. I support the Resolution also because it appears to me a natural complement of the vote I gave when the Special Commission Bill was before the House; I voted then in the hope that the truth would prevail. The speech of the noble Lord (Lord R. Churchill) is one that would have been more applicable to that Second Reading debate, and why it should be made now I do not understand. The work of the Commission has been successful; it unmasks the history of a great wrong, and there are other perhaps political reasons why we should rejoice that the Commission has issued this Report, and why we should have the Report recorded on our Journals. But I will not now refer to these in detail. There is another reason why I shall be glad to have the Report enrolled in the Journals, and it is a reason that hon. Members opposite should sympathise with. The Report has demonstrated the falsehood and injustice of many of the most important charges levelled against hon. Gentlemen opposite. I am very glad, indeed, that the insincerity with which the hon. Member for Cork was charged when he denounced the crime of the Phœnix Park murders, which the *fac simile* letter attributed to him, has been established to be without foundation, and I am, indeed, glad that the villainy of Pigott has been unmasked. We Conservatives as a body knew nothing whatever of Pigott; his existence even was quite unknown to most of us. Hon. Members must remember that he graduated in the school of Nationalism, and never was in contact with the Conservative Party. We knew nothing of him; I do not think that even the *Times* knew anything of him until he presented himself with the documents, which, though they turned out to be forgeries, were believed at the time to be true. Yet another reason why I rejoice that this document is to be enrolled on the Journals of the House is that it sets the seal of the British Parliament upon a document which has had a vast influence in favour of law and order in Ireland. It will be remembered that some years ago I, with

others, denounced the teaching and the action of some of the Catholic Bishops and clergy in Ireland, and said that that teaching had a direction and tendency not only destructive to the peace of the realm, but that I was convinced that it was destructive of a far higher and more vital interest—the Catholic faith. A Papal Mission was sent to Ireland to examine the morality of proceedings then more or less receiving the sanction of the Catholic clergy in Ireland. That Papal Commission collected evidence, and Monsignor Persico returned with his Report to Rome. That collection of evidence has never been published, but it has resulted in the issue of a document known as the Papal Rescript, and in that Rescript it is distinctly laid down that those who listen to the voice and authority of the Church must regard the Plan of Campaign, and the practice of boycotting, as not only illegal but immoral. I will not proceed further on this matter, but will briefly give the reasons why, agreeing as I do with the original Resolution, I felt it my duty to add the rider of which I have given notice. It will be remembered that two years ago the persistency and courage of the Junior Member for Northampton compelled the House to recognise the right of Atheism to appear here with the sanction of an affirmation instead of the oath. I protested against the innovation. How could I do otherwise as a Tory? But I must admit a Tory is an anachronism in this House, but I make my protest so far as I can again on this occasion. It was urged, why keep up the empty form of an oath when a man says it means nothing, and is not in any way binding upon his conscience. But I urged that to abolish the oath was to divorce religion from morality, to divorce religion from morality was to sap the foundations of society, and to sap the foundations of society was to prepare the downfall of England. And now within three years we have got to this: that hon. Gentlemen opposite who support the Unionist Party are obliged to confess that in this House the crime of treason is a matter of no consequence! Why keep up the form of the promise of allegiance, then, when you allow Gentlemen to come into this House and to make a declaration which, by their actions, you must recognise to be hypocritical? I may be asked why, in framing this Amendment, I was not able to admit words having the same effect as the Amendment of which the hon. Member for Stockport (Mr. Jennings) gave notice. I entirely sympathise with those who would wish to put on record that Members of this House have been grossly maligned; but when I look at the findings of the Commission I cannot see how we can do what is suggested. The main charge made against the Members of the Irish Party was that they had been directly or indirectly concerned with murder. That is true, but the Commissioners do not lay the blame of that charge on the *Times* newspaper. On the contrary, they throw back the blame upon the heads of hon. Members opposite themselves. The Commissioners declare—

"We may say at once that the charge that the respondents, by their speeches or otherwise, incited persons to the commission of murder, or that the Land League chiefs based their scheme upon a system of assassination, has not been substantiated. No proof has been given, and we do not believe that there was any intention on the part of the respondents, or any of them, to procure any murder, or murder in general, to be committed."

But what do the Judges go on to say?—

"But while we acquit the respondents of having directly or indirectly incited to murder, we find that the speeches made, in which landgrabbers and other offenders against the League were denounced as traitors and being as bad as informers—the urging young men to procure arms, and the dissemination of the newspapers above referred to—had the effect of causing an excitable peasantry to carry out the laws of the Land League even by assassination."

That appears to me to be the clearest proof, that, in the opinion of the Commissioners, it is to the seditious speeches that the responsibility for these charges must be thrown. That is the source from which these calumnies sprung. If hon. Gentlemen made these seditious speeches it is upon their own heads that the responsibility must rest. There is not a word here about the forgeries of Pigott having anything whatever to do with the charge of murder levelled against them. On the contrary, there is evidence that these forgeries were merely the foundation for the charges of insincerity brought against the hon. Member for Cork. I may say that I have never circulated the later editions of *Parnellism and Crime* among my constituents, containing the forged letters.

I have only circulated the second edition, and I believe the vast majority of Members of this House have only circulated that edition. And now, Sir, I have moved an Amendment which, I presume, will not receive the support of Her Majesty's Government. I respectfully submit that it is a proposition which might most properly be accepted. The honour of this House is at stake. The greatest offence which has been committed is not an offence against an individual only. It is an offence against this House, committed within the walls of this House, and in the presence of the Speaker. Perjury on the floor of this House—that is the offence committed by eight of these Gentlemen, and that is why I have thought it right to add this censure to the Motion of the leader of the House. There is another point. It has been pointed out that it is a deadly crime to publish a calumny even when those who publish it believe it not to be a calumny. No doubt it is a very serious thing even to calumniate in that way. But what are we to think of years of political action, persisted in with knowledge of its effect, which have brought about the murder of 98 humble citizens of Ireland, and 146 attempts to murder, which the Commissioners say in their Report were brought about by seditious speeches and writings, and by organised intimidation, when those who engaged in this course of action were conscious that it led to these lamentable results? The words I have borrowed from the Amendment of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) are not too strong to express our condemnation of political action of this kind. The right hon. Gentleman (Mr. Gladstone) reminds me of another great figure of contemporaneous history whom I happened to have the honour of knowing, and who rose to great eminence as an ecclesiastic in the Catholic Church. Late in life he abandoned his convictions, and so became, in the unchangeable records of that immortal and indefectible institution, a fallen star. I allude to Dr. Döllinger. Similarly the right hon. Gentleman the Leader of the Opposition rose to a high place in the service of this country, and became the leading power among English statesmen. In his latter days he also abandoned all the convictions of his early life. He has become a fallen star, but he has succeeded in carrying with him in his fall a very considerable portion of Her Majesty's subjects. To recall a saying of Macaulay's, the right hon. Gentleman possesses a vast command of a mystic kind of language, by which he first deludes himself, and then his hearers! You say that you have the people on your side, and that you will appeal to the people. I say that we will also appeal to the people; and if the people do not give us their support, we will appeal—to paraphrase the words of Luther—*à populo male informato, ad populum melius informandum*—from the people badly informed, to the people to be better informed—and as an instrument for the better information of the people, as a proof, a historical and political demonstration, of the wisdom of our counsels and the rectitude of our purpose. I know of no document so valid, no authority so powerful, as the findings which are contained in this Report, the substance of which I have condensed in the words of my Amendment.

MAJOR RASCH rose.

*MR. SPEAKER: Does the hon. Member rise to second the Amendment?

MAJOR RASCH: No, Sir.

*MR. SPEAKER: There being no seconder, the Amendment falls to the ground.

(9.45.) MR. T. P. O'CONNOR (Liverpool, Scotland Division): I am rather relieved that the forms of the House have emancipated me from the necessity of answering the extremely formidable array of arguments which have fallen from the hon. Gentleman, and I think the hon. Gentleman will not, therefore, accuse me of any discourtesy if I allow his speech to fall into the limbo of unsupported facts to which his Amendment has been relegated. I will only mention one part of his speech. The hon. Gentleman claimed credit to himself and some Members of his Party for not having circulated the edition of

Parnellism and Crime which contained the forged letter. I am perfectly willing to accept the statement of the hon. Gentleman as true as regards himself, but I shall presently have to allude to the circulation of the forged letter by itself by several Members opposite for Party and electioneering purposes. But I do not see any particular merit in what he claims. In the pages of *Parnellism and Crime*, apart altogether from the forged letter, there are calumnies as foul and as odious as the forged letter. For instance, there is that horrible passage as to murderers sharing the counsel of the Irish Members, going into the rooms occupied by the Irish Members, passing from those rooms to commit murder, and returning to the rooms after murder had been committed. There is also the suggestion that at the interview between Frank Byrne and the leader of the Irish Party and the Member for Longford, the particulars of the murders that took place on the 6th of May afterwards were arranged. Therefore, I do not see it advances the cause of the hon. Gentleman a bit to say he has not circulated the forged letters, because in *Parnellism and Crime*, apart from the forged letters, there are calumnies which the Commissioners have properly condemned, and as a propagator of those calumnies, the hon. Gentleman owes an apology to the hon. Gentlemen on this side. Now, I will only allude to a personal matter to which attention was called by the right hon. Gentleman the Member for West Birmingham, who followed the Commissioners in extracting from a speech of mine in America one passage which totally falsified the meaning of the whole of the speech. I told the truth when I said I had forgotten all about the speech. If I had been told that I had made the observations, I might with perfect truth have denied having made them. They were not made in the midst of an excited population in Ireland, and I justify every word I said. Before the Commission I was asked for an explanation, and I said, "You have not read the passage which immediately follows it, which gives an explanation;" and I pointed out that it was a gross misrepresentation of the passage to say it was either an incitement to the commission of crime, or anything of the kind. I said I believed the statement to be true, that if 10,000 persons were put in the possession of 10,000 farms from which 10,000 farmers had been unjustly evicted, then it would be a source of danger, of crime, and of outrage. What sensible or rational man can doubt that if a large tract of country was cleared of 10,000 people the taking of the evicted farms would subject the country to the danger of crime and disturbance and outrage? Now, one of the charges I shall make, and make good, is that there was an alliance between Members on these Benches and the Tory Party at the time when we were alleged to be committing these crimes, but before I come to my proofs of that I would like to quote one or two passages in support of that contention from the speeches of the right hon. Gentleman the Member for West Birmingham himself. In the beginning of December, 1883, there was a very remarkable debate in the House of Commons. The debate was initiated by the fact that James Carey had been put into the witness-box in Dublin, and had given information with regard to the Phœnix Park murders. At that time the present Under Secretary for India (Sir J. Gorst) was the legal Member of the Fourth Party, and he proposed an Amendment to the Queen's Speech, denouncing the Government. In the course of his speech the right hon. Gentleman made some allusion to James Carey and the Member for West Birmingham; indeed he accused the Member for West Birmingham of baseness as great as that of James Carey, and the other persons engaged in the Phœnix Park murders. James Carey said there was a "No. 1" in the Invincible conspiracy, and the right hon. Gentleman said—

> "His belief was that there existed at that time a sort of inner circle within the Cabinet very much in the same way as an inner circle of the Invincibles existed in the Land League, and he believed, too, that the inner circle of the Cabinet had also its 'No. 1.'"

And the "No. 1" to whom he alluded was the Member for West Birmingham,

whom he thereby compared to the founder and the organiser of the assassination society in Dublin. I will now give you the right hon. Gentleman's (Mr. Chamberlain's) opinion of the Tories. He called attention in a speech at Hackney to a circular just issued by the Conservative Association as to the number of Irish voters in English constituencies, especially with a view to finding out whether there were sufficient Irish voters to turn the scale against the Liberal candidates. He also called attention to the fact that after the Tory Party came into power the very first thing they did was to grant that inquiry into the Maamtrasna executions which had been refused by the Liberal Government. He described the action of the Tory Government as the Maamtrasna alliance. Last night the Chief Secretary was very eloquent upon our attack on Lord Spencer. I am glad to find the Chief Secretary has raised himself to some appreciation of Lord Spencer; it was not always so. Now, in his speech at Hackney the right hon. Gentleman the Member for West Birmingham made it one of his strongest charges against hon. Gentlemen opposite, that while they supported the policy of Lord Spencer in office, they had no sooner got on the Treasury Bench than they denounced the very man they had been supporting for years—

"In pursuance of a compact they had made with the Parnellite Party—in pursuance of this bargain, for which they were called upon to pay a price, 'their leaders got up in the House of Commons the other day and separated themselves ostentatiously from Lord Spencer, and any approval of his administration. I say even by this one act the Tories have done more to lessen the authority of the law in Ireland than all the Radicals have said and done during the past five years, we might almost say than all the Nationalist Members ever have said or done, because the effect of the Tory action has been to show that the maintenance of law and order is not a matter of principle, is not a matter of conviction, is not a matter even of State policy, but is a matter of the meanest Party interest and Party consideration."

That was the judgment of the Member for West Birmingham on the Tory Party in 1885. But the virtuous Member for West Birmingham also said—

"The consistency of our public life, the honour of political controversy, the patriotism of statesmen which should be set above all Party considerations—these are the things which in the last few weeks have been profaned and trampled in the mire by this crowd of hungry office-seekers who are now doing Radical work in the uniform of Tory Ministers. After a speech of mine the other night a Member of the House of Commons came up and said, 'My dear fellow, pray be careful what you say, for if you were to speak disrespectfully of the Ten Commandments I believe Balfour would bring in a Bill to-morrow to repeal them."

That, in 1885, was the right hon. Gentleman's opi ion as to the present Chief Secretary for Ireland. I think I have devoted as much attention as is necessary, if not more, to the Member for West Birmingham, whom I will not dignify by calling an extinct volcano, but simply an exploded fusee. Every one will have observed that the tone of this debate has very much changed since the start. The right hon. Gentleman the First Lord of the Treasury, indeed, made a speech to which no objection could be taken except that of its portentous solemnity. It was moderate and kindly in tone, and was in keeping with the speeches made by the right hon. Gentleman earlier in the Session, in which he freely condemned the action of the *Times*. But the speeches which followed from the right hon. Gentleman's own side, instead of being an apology for the offences of the *Times*, have been a repetition, and, in many cases, an aggravation, of those offences. But before I deal with that I want to challenge the Attorney General. My hon. Friend the Member for West Belfast has made charges against him of which he has not given anything like an adequate denial. Now, is it the fact as stated, not only by my hon. Friend, but by the noble Lord the Member for Paddington, that the Government packed the tribunal? [An hon. MEMBER: Certainly not.] The Attorney General has never ventured to deny that the names of the Judges were never given to my hon. and learned Friend the

Member for Hackney before they were put in the Bill, although they were promised to him. Was not that packing the jury?

*Mr. W. H. SMITH: The names of the Judges were furnished by me to the right hon. Member for Mid Lothian before they were put in the Bill.

Mr. T. P. O'CONNOR: The First Lord of the Treasury has made that statement for the first time, long as this controversy has been going on. The Member for Mid Lothian is not present, but a trusted Colleague of the right hon. Gentleman's (Mr. J. Morley) is, and he does not give any sign of assent to the statement. I now ask the First Lord of the Treasury did he give us any opportunity of saying a preliminary word in the matter of the choice of the Judges? Will he deny that when he appointed the Judges he knew that every one of them was a political ally of his own. [Mr. W. H. Smith shook his head.] A shake of the head is no denial. I say it was notorious that each member of the Commission was either a Liberal Unionist or a Tory, and therefore a political ally of the right hon. Gentleman. Again, no answer has been given to the charge of the Member for Belfast that there are drafts in existence of the Commission Bill, with alterations and interlineations in the Attorney General's handwriting. Does the hon. and learned Gentleman deny that?

Sir R. WEBSTER: I denied it on the spot last night. I said that as far as I know there is no such thing in existence, and certainly I have not the slightest recollection of it.

Mr. T. P. O'CONNOR: My hon. Friend did not say these drafts were in existence; probably they have been destroyed. What the Irish Members want to know is, had the hon. and learned Gentleman anything to do with the terms of the Bill which appointed the Commission [Sir R. Webster shook his head], or was he called into the Cabinet? [Sir R. Webster indicated that he was not.] The excuse made for the hon. and learned Gentleman last night was very different from the attitude he himself assumes. The declaration of the Chief Secretary was that if the hon. and learned Gentleman had had anything to do with the Commission Bill he had acted as agent of the Cabinet. So that we have the extraordinary pretence set up that the Attorney General can be at the same time agent of the Cabinet, counsel for the *Times*, and be concerned in the framing of the Bill for the trial of the case of his clients. I say a more flagrant case of injustice and want of fair play has never before occurred in the most heated and venomous controversy in this House. Of course, as an hon. Friend reminds me, the Attorney General as first Law Officer of the Crown is bound, by his very functions and duties, to give advice on all legal questions to the Cabinet, so that we have this monstrous state of things, that a gentleman having the fee of the *Times* in his pocket is the adviser of the Government in an "impartial" inquiry, in which the Government stands equal between the *Times* on the one hand and the Irish Members on the other. I invite answers to these questions when the time comes for reply to be made. No one attempted to deny the charges when the noble Lord the Member for Paddington made them to-night—no one denied that the Government had appointed a tribunal consisting of their political friends to try their political opponents. The statement has been made that the Tory Party opposite have never attempted to make Party capital out of the forged letters, but the fact is that for two years they have been the leading stock-in-trade of hon. and right hon. Gentlemen opposite. The Chief Secretary, who seems convinced that he has only to make a mis-statement audaciously and confidently enough to obtain credence amongst a section of Members at least, denied that capital had been made out of the forged letters. Why, we produced in this House a document containing a *fac simile* of the

letters, which document had been distributed at the Taunton Election, and partly helped to secure the return of the Tory candidate; and the Attorney General was confronted by the right hon. Member for Derby with a passage from his own speech on the Second Reading of the Commission Bill, in which he himself brought forward the forged letters as an argument in support of the Second Reading. I do not know whether I am to hold the Government responsible for the utterances of so humble a Member of their Party as the Under Secretary for War, but as we are held accountable for Scrab Nally I suppose we have a right to hold the Government accountable for this official. He declared that the letters were genuine, and he did so for the purpose of making political capital. I say deliberately that for nearly two years the forged letters were the leading stock-in-trade of the Conservative Party. I have said the charges against us have been repeated and have been aggravated. Let me give some proofs of that. The Member for North Antrim (Sir C. E. Lewis) declared that if all the books of the Land League had been in existence every charge which the Commission had declared to be disproved would probably have been substantiated. The Attorney General, again, an artist of high colour, sometimes even aggravated the original charges of the *Times*. He actually, the other night, referred to my hon. Friend the Member for Cork as having sympathy with dynamite. What is his proof? I say it is a most scandalous thing that the hon. and learned Gentleman on the morrow of his discomfiture in regard to the Pigott forgeries should have the face to come down here and repeat or invent a new charge against my hon. Friend, which I say is absolutely and completely without foundation. And now I come to the right hon. Gentleman the Member for Bury (Sir H. James). He was even worse than the Attorney General, for what did he say? He said that the cash book had been removed from the Land League Offices in Great Britain. Well, I am the President of the National League Organisation in Great Britain, and have been so for many years, and I was officially connected with it under my hon. Friend the Member for Longford (Mr. J. M'Carthy). This cash book was kept to a certain extent, at least, under the supervision and control of the hon. Member for Longford and myself, and I suppose the right hon. Gentleman the Member for Bury means that if this cash book were produced it would show that money had been paid by the English Land League for the Phoenix Park murders, and that my hon. Friend and myself have only been able to clear ourselves of the charge by causing the disappearance of the book. Am I not justified, then, in saying that the speeches which have been made have been a repetition and aggravation of the charges made against us before the Commission? What did the right hon. Gentleman the Chief Secretary do? He insinuated over and over again, last night, that the charge of direct complicity with crime had been made out, and that the Invincible Society was a branch of the Land League, and he did so in the face of the finding of the Judges that there was no connection whatever between the Invincible Society and the League. I am justified, therefore, in claiming that if reparation was due from the Government to us before this debate began, double reparation is due to us now, when the charges have been repeated and aggravated by speakers on the Tory side. The Chief Secretary made the foul insinuation that there was something in the forged letters after all, because the hon. Member for Cork did not claim an apology as well as the £5,000. Now, I ask the House seriously to consider what was the suggestion underlying that statement. Did it not contain the same base insinuation as was contained in a speech of his kinsman — his chief — because, even after Pigott had been exposed, the speech of the Chief Secretary contained two of the most cruel and most odious things said in the course of this controversy. The Chief Secretary further alluded to the former relations of the Tory Party to the Irish Members. I have shown that the existence of a compact was admitted over and over again. But I would like an answer to this question. We have been charged with culpability because we paid no attention to articles in *United Ireland*, the *Irish World*, and other papers, and to the speeches of Boyton. There was

not a single one of the articles of any importance which was not read in this House in 1881-82. There was not a single one of the speeches which have been referred to which was not read in the House in those years. The articles and speeches were quoted almost every night by the late Mr. Forster in the hearing of the Members of the Fourth Party, including the present Chief Secretary for Ireland. Did those articles and speeches prevent Members of the Tory Party from going into the Lobby with the Irish Party? On June the 8th, 1885, the Liberal Government fell. Does anyone suppose that the Irish Party gave their support to the Tories without a clear understanding that compensation was to be given? The condition on affairs was this. The Redistribution Bill had not received the Royal Assent, and we were afraid that the Tory Party, if they got into power, might reduce the number of Irish seats. Well, Sir, we received sincere assurances that we would be perfectly safe in putting the Tories into power, and that the number of seats would not be reduced. But for those assurances the Tory Party would not have got our vote, and the Liberal Party would have been left in office. We are accused of an alliance with dynamitards, assassins, and murderers. But the Tory Party, who knew all about the articles and speeches referred to, were our allies. Did not the Tory Party know of Patrick Ford during all the years between 1881 and 1885, of the Clan-na-Gael, of the *Irish World*, of Boyton's speeches, of the articles in *United Ireland*? Were not all these things thundered across the floor of the House night after night by the late Mr. Forster, and was not the Tory Party accused by the present Chancellor of the Exchequer (Mr. Goschen) of seeking for an alliance with the Irish Members for the purpose of embarrassing the government of Ireland? Did the Chancellor of the Exchequer, who, at that time made so many charges against the Tory Party, believe them to be true? If so, will the right hon. Gentleman get up and repeat his denunciations of the Tory-Parnellite alliance of 1880-85? What were the facts? I took a prominent part in the Election of 1885 and issued a manifesto,

Mr. T. P. O'Connor

no doubt somewhat loose in style—it was, perhaps, written too much under the influence of the noble Lord the Member for Paddington (Lord R. Churchill). Well, we have been charged with being the allies of assassins, but we have certainly never been charged with being fools. I have been in close association with Tory agents and have paid for Tory literature, just as the Carlton Club has paid for Nationalist literature. The money of the Clan-na-Gael has gone to the propagation of Tory ideas. There was, however, one occasion on which the Members on these Benches refused to act with the Tory Party, and that was during the anxiety consequent on the Penjdeh incident, when the fate of two great Empires hung on the words and actions of the right hon. Member for Mid Lothian (Mr. Gladstone). During that time, whilst the Tory Party harassed the Prime Minister and put him on the rack of perilous interrogatory, the lips of the "Irish traitors" were dumb, and not a word was said to Members of the Government. This was the difference between the Irish Party and those whom the right hon. Member for West Birmingham (Mr. Chamberlain) described as "hungry office seekers." All we did from 1880 to 1885, all we have done since, and all we shall ever do is inspired by the desire to secure the liberties of our people. All that was done by the Tory Party in the alliance of those years was done for pay and power—for dirty money and dirty power. Did the Tories refuse office, refuse salary, refuse power, because it was the unclean thing—the Irish vote—that gave them those things? No; and the Government will never be able to get over the alliance of 1880-85. The explanation of the right hon. Gentleman the Chief Secretary, that the alliance was only casual and temporary, will never avail him or his Party. If Gentlemen opposite had been wise they would have accepted some such Amendment as that of the hon. Member for Stockport (Mr. Jennings). They have done my hon. Friend the Member for Cork a great wrong, but in this country an ample and frank apology is held to atone even for a grave wrong. They have refused apology and reparation. I tell them—and the bye-elections confirm my statement—that

the country will give us that ample and generous satisfaction which has been denied us by the right hon. Gentleman.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Gentleman who has just sat down has followed the example of most of the speakers who have addressed the House in the course of this debate, and has made a principal part of his speech a denunciation of the Attorney General (Sir R. Webster).

MR. T. P. O'CONNOR: No; it did not occupy five minutes.

*MR. GOSCHEN: Well, it was an important part of the hon. Member's speech. I am surprised that the hon. Member, having made the attack, does not frankly confess that he made it. I am here to state that speech after speech—from the speech of the five counsel, who have addressed the House and who were engaged before the Commission, to the hon. Member for Bedford (Mr. Whitbread), who spoke this evening—was full of concentrated virulence against my hon. and learned Friend (Sir R. Webster). [*Opposition cries of* "No."] It is useless now to make these murmurs of dissent when you have cheered to the echo every charge that has been made. Whenever a Member was at a loss for cheers, an attack upon my hon. and learned Friend was sure to be enough to insure that applause which he could not obtain in any other way from any other source. My hon. and learned Friend has no doubt had a difficult task. There were five counsel engaged on the other side, and every one of these has been put forward to speak in this debate. Then the hon. Member for Bedford crowns the attack by complaining that my hon. and learned Friend has intervened in this debate in his own defence. It was insinuated that it would have been better for my hon. and learned Friend to be silent, and he was charged with having screened himself behind the cloak of his instructions and with not having in this House divested himself of his position as counsel in the case. Yes, I hear a suppressed cheer, but hon. Members will remember that the right hon. Gentleman the Member for Mid Lothian entirely appreciated the position of my hon. and learned Friend, and admitted that in the position in which he was placed there was no other course for him to pursue than that which he had followed. One of the charges against the hon. and learned Gentleman which was made last night, and which has, I think, been repeated to-night, has been that he was responsible for the draft Commission Bill which was laid on the Table of the House. That is an absolute misstatement. The responsibility for that Bill rests on the Members of the Cabinet, and it is unworthy of Members to concentrate the whole of their attacks on my hon. and learned Friend. We are not prepared to leave that attack unanswered. The responsibility we take upon ourselves, and by that responsibility we are prepared to stand. We have in the course of this debate ranged over a great number of subjects. I wish particularly to be allowed to deal with a question which was raised in the earlier part of the debate. One matter of attack has been the constitution of the Commission. We have been charged by the noble Lord the Member for Paddington with having invented this Commission as a kind of instrument by which to oppress our political opponents. The noble Lord stated that we have set aside the ordinary tribunals in order to constitute this special and un-Constitutional tribunal. I was under the impression that the ordinary tribunals were not at that particular moment in great favour with hon. Gentlemen opposite. We have been asked why we did not prosecute the hon. Members and bring them before a jury of their countrymen. I should like to know what would have been said of us if we had taken that step? Why, the hon. Member for Cork refused to appeal to the ordinary Courts of Law, because he thought there was danger in a British jury. And now we are taken to task by the noble Lord for not bringing the hon. Member for Cork and his friends before a jury, to which the hon. Member for Cork declared that he would not willingly go. It is said this Commission was an un-Constitu-

tional tribunal. But why was it established at all? Because hon. Members below the Gangway thought that, under the circumstances, the ordinary tribunals were not good enough for them. It was at their invitation and under pressure from hon. Gentlemen opposite that this tribunal was granted. I think right hon. Gentlemen on the Front Opposition Bench will admit that the hon. Member for Cork declared that he would not go before a jury. It was the hon. Member for Cork who asked for a special tribunal; he asked for an exceptional tribunal; he asked for a Committee of this House; and is not that an exceptional tribunal? Yes, a most exceptional tribunal, to investigate libels? I think I am justified in saying that hon. Members were not prepared to take the ordinary course. They asked for exceptional treatment, and we offered them several alternatives. The tribunal they wanted was a Committee of this House. The hon. Member for Bedford suggested that that would have been an excellent manner of dealing with the case; but if such a Committee had found against hon. Members, what weight would they have attached to the findings? They are not content even with the Judges. I hear the ostentatious cheer of the right hon. Gentleman the Member for Derby; but he will admit that even Judges, whom he distrusts—[Sir W. HARCOURT: Hear, hear!]—would be, on the whole, a more impartial tribunal than a Committee of his political opponents. I should like to have heard the splendid rhetoric of the right hon. Gentleman denouncing the findings of such a Committee. "These are the findings," he would have said, "of a Committee composed of a majority of political opponents of hon. Members from Ireland." It will hardly be denied that whatever charges are now brought against this tribunal of Judges, which was at first said to have delivered a judgment of triumphant acquittal of hon. Gentlemen, would have been brought with greater intensity had the findings been the findings of a Committee of this House. A jury of their countrymen was refused by hon. Gentlemen; a prosecution by the Government before such a jury would have been denounced as an act of tyranny. We offered to prosecute the *Times*, but that offer was also refused; and so we established a tribunal composed of Judges whom right hon. Gentlemen opposite admit to have been men anxious to be impartial and to do justice between man and man. The noble Lord the Member for Paddington warned us of the precedent we have established, and of the consequence that might flow from it to ourselves in the future. Well, if trying times should arise and we should find ourselves in a minority, I do not know that there is any tribunal to which we should prefer our actions being referred than a tribunal of Judges fenced round by the precautions that were taken on this occasion. Yes, for the organs of hon. Gentlemen opposite at one time bore testimony to the manner in which these Judges performed their duty. I may say, however, that day by day, as the findings of the Judges are more and more examined, so we find hon. Gentlemen below the Gangway less anxious to bear testimony to the impartiality of the Judges. I do not think that it can be shown that there is anything un-Constitutional in the course we have taken. The noble Lord says we ought not to enter the findings of the Judges on the Journals of the House, and he seems to suggest that it would be a kind of offence to the Judges for us to do so. But I may remind the noble Lord that the findings of Judges who have tried Election Petitions—which is an analogous case—are entered upon the Journals of the House.

LORD R. CHURCHILL: Yes, but there is no power to review these findings.

*MR. GOSCHEN: That is just our point. We do not propose to review the findings of the Judges. We have rejected all proposals to review those findings. We object to the Amendments placed on the Paper from whatsoever quarter they come which propose to review those findings. We are not reviewing the findings; we are merely entering them upon the Journals of the House. I have dealt with the Constitutional part of the question—a very important part—I will now proceed to some of the other allegations made against us. There is one allegation in particular, upon which I must say a word. It is that the Conservatives

and Unionists generally adopted these letters when they appeared in the *Times*. The hon. Member for West Belfast said yesterday they were the credentials of every Conservative, and the hon. Member who spoke just now said they were the stock-in-trade of Conservative candidates. No, that is not so; it is untrue. Here and there you may find an indiscreet utterance. I think you had better look for indiscreet utterances upon your own side, and you will be sorry to be committed to all that is said and written, even by journals owned by the leaders of your Party. No doubt, as was expounded by my right hon. Friend the Chief Secretary last night, there have been utterances in Irish journals—utterances and articles, which did create an impression broadly that hon. Members could not be relieved so entirely of responsibility for the acts which took place as they now wish. The hon. Gentleman who has just sat down dealt with what he conceived to be the misdoings of the Conservative Party. He had an opportunity of answering the speech of the Chief Secretary last night, in which my right hon. Friend called attention to all that happened with regard to that sympathy with murder which had appeared in the Irish papers, and not by one single phrase, not by one single argument, had the hon. Member been able to repel what had been brought against them. It has been said that we have brought these charges against Members from Ireland through political hatred. There has been no political hatred. Is there more political hatred shown on this side of the House than on the other? Have we used stronger language than was used by the present allies of hon. Members below the Gangway? Where did we learn the vocabulary that we use if we have not learned it from hon. Member for Derby? We have been charged in this debate with insulting Irish Members. We have been charged with using language of exasperation. Yes; but language was used of far greater power and far greater exasperation by right hon. and hon. Gentlemen opposite than any we used—language, I presume, dictated not by political hatred, but dictated by their knowledge of the circumstances of the case. The right hon. Member for Derby said some years ago—I remember the attitude and the tone in which he said it:—

> "To-morrow the civilised world will hear the expressions of treason and of sympathy with assassination."

Was that the language of political hatred? Not at all. It was the language of a man who had before him the evidence at his hand; it was the language used by the then employer of Major Le Caron. We have heard a great deal about Major Le Caron. Who was his original paymaster? [*Home Rule laughter.*] That laughter comes from the Benches below the Gangway. Well, who was his original paymaster? I think it was the right hon. Member for Wolverhampton, who was Secretary to the Treasury when these funds were disbursed to Major Le Caron.

MR. H. H. FOWLER (Wolverhampton): I wish to ask the Chancellor of the Exchequer on what authority he states that the Secretary to the Treasury is aware of any disbursements of the secret service money? It was absolutely impossible for me to be aware of any such disbursements. [*Cries of* "Answer."]

*MR. GOSCHEN: Oh, yes; I am going to answer. Make no mistake about it. I wish hon. Gentlemen opposite would answer me. "Answer" they say now; but when the hon. Member for Belfast was asked last night to answer about the alleged letter from Lord Salisbury he did not answer. No, he shirked it.

MR. SEXTON (Belfast, W.): The right hon. Gentleman has challenged me. I am quite ready to answer. The Chancellor of the Exchequer challenges me. ["Order!"]

*MR. SPEAKER: If the right hon. Gentleman the Chancellor of the Exchequer does not give way, he is in possession of the House. [*Cries of* "Coward!"]

*MR. GOSCHEN (who had remained standing during Mr. Sexton's interruption): There are no cowards here. Level your taunts at those who decline to answer. The right hon. Gentleman the

Member for Wolverhampton said that I was perfectly aware that he did not know of the employment of Major Le Caron. I am perfectly prepared to see that he wishes to separate himself in this from the right hon. Member for Derby. But I will not press the case against him. I will only say that he was Secretary to the Treasury at the time when this alleged waste of money took place.

MR. H. H. FOWLER: The Chancellor of the Exchequer has charged me with knowing of the disbursements to Le Caron. He has charged me with knowing of the application of the secret service money. No man in this House knows better that the Secretary to the Treasury knows no more of the application of the secret service money than I do of the application of the right hon. Gentleman's private income. [*Opposition cries of* "Withdraw."]

*MR. GOSCHEN: I withdraw with the greatest pleasure what I have not said. I said that he was Secretary to the Treasury at the time. What I mean to say is that it is rather indecent, when Major Le Caron was employed during the term of office of right hon. Gentlemen opposite, that the Secretary to the Treasury of that time should denounce, without any specific knowledge of the facts, as a liar Major Le Caron, who was employed by the Home Secretary of the day——

SIR W. HARCOURT (Derby): He was not employed.

*MR. GOSCHEN: And paid out of funds which came from the Treasury and which were included in the secret service money. I am sorry to have been longer on this point than I wished; but it is part and parcel of the attitude of right hon. Gentlemen opposite. They are now denouncing Major Le Caron, as having been in full possession of the information which they purchased from him. And now to return to my former point. What could be more exasperating to the Irish people than the phrases which issued from the mouths of right hon. Gentlemen? Now they themselves ask us to join in a march "through plunder to disintegration;" and because we resist and say that the plunder of the present day is not unlike the plunder of five years ago, we are denounced as insulting the Irish people. I cannot help saying, though again I am afraid that the phrase will not give pleasure to the Party opposite, that through the whole of this debate there has been a tendency to the palliation of crime. There has also been a minimising of crime. [*Opposition cries of* "Forgery."] Hon. Members must not be carried away with the belief that we have minimised the hateful crime of forgery, or that every speaker on this side has not expressed his heartfelt abhorrence of the means by which these letters were contrived. I will say no more upon that subject, except to express my own abhorrence. Even this very day an hon. Member has remarked that we regretted this crime. You challenge us to express our regret. When we express our heartfelt regret you do not accept our words. If we have had to express our condemnation of that crime which has been committed against hon. Members, and of the culpable carelessness which followed that crime, I should have thought also that from the opposite side of the House, not below but above the Gangway, we should have heard more regrets and less palliation of those other crimes which have been brought home to hon. Members opposite. There has been a constant distinction drawn between the personal crimes and the crimes which are not personal. It is a personal crime, we are told, to have written such a letter as was falsely attributed to the hon. Member for Cork; but it is not a personal crime according to the same authority to engage in treason; it is not a personal crime to disseminate literature which incites to crime; it is not a personal crime to make speeches which are followed by crime, knowing the effect which those speeches are likely to have. I can draw no such distinction. I say that the whole point as regards personal crime is delusive and wrong. But I have said that there has been palliation of crime throughout the whole of this debate, and I am sorry to say that a leading example of this palliation was given by the right hon. Gentleman the

leader of the Opposition himself. I must own that there are many passages in this debate which we must all deeply regret. But there is nothing which, for my part, I more deeply regret than the eloquent speech of the right hon. Gentleman, in which he made the humiliating confession that the Act of 1881 was not, as we thought, a great Act of constructive statesmanship, but that it had been wrung from the Prime Minister of England by the agitation and outrages in Ireland.

MR. W. E. GLADSTONE: What I said was that the Act of 1881, in my belief, would not have been possible without the agitation.

*MR. GOSCHEN: If I have, by one hair's-breadth, misrepresented the right hon. Gentleman, I offer him with all sincerity every apology, for no more fearful confession could have been made by a responsible statesman. But as it stands, as now presented to the House by the right hon. Gentleman, how has he left it? The Act would not have been passed but for agitation and outrages. [Mr. J. MORLEY: That it would not have been possible.] What a lesson to teach the subjects of this great Empire! Does the House remember those passages in the eloquent peroration of the hon. Member for South Hackney (Sir C. Russell), in which he appealed to us as statesmen to accept the doctrine of the right hon. Gentleman? And the doctrine presented to us as statesmen is that no great Act of reparation can be passed unless it is preceded by intimidation and outrage. But the worst of it is that the right hon. Gentleman is not incorrect in his statement. ["Hear, hear," from Mr. J. MORLEY.] You rejoice, do you? See what your Party has come to when they rejoice that constructive legislation, salutary legislation, legislation which is to unite the hearts of two peoples, that such legislation must necessarily be preceded by a certain amount of agitation and outrage. What is the view of hon. Members below the Gangway upon this subject? Here is a significant extract from *United Ireland*. [Home Rule *cries of* "Oh."] You see they are sick of quotations from *United Ireland*. They wish that unfortunate journal anywhere else. [An hon. MEMBER: Where do you wish the *Times?*] Do not compare the *Times* with *United Ireland*. Before I sit down you shall have a specimen of the calumnies of *United Ireland*, and you shall see how they compare in heinousness with the accusations of the *Times*. Here is a choice extract from your paper—

"We ask the Government, must the country be thrown into confusion and agitation once more before they will condescend to redeem their pledges?"

This was written in 1884, and the Government referred to is that of the right hon. Gentleman the Member for Mid Lothian.

"If so, would Mr. Gladstone kindly state how many outrages should be committed to open his mind to the urgency of this question? We have Mr. Gladstone's confession that when he entered into office he had no conception of the severity of the crisis through which this country had passed. Outrages alone, it appears, quickened his perception. And if the most enlightened British statesman of the age has to make this confession what shall we say of the rank and file of his followers?"

The right hon. Gentleman, the first statesman of his age, makes such a confession, that we are told to calculate the number of outrages which are necessary in order to bring home to his mind the necessity for legislation. That is not a pleasant quotation for hon. Members opposite. The next will be more satisfactory to them, because it comes from the lips of the hon. Member for Cork. He said—

"In order to attain a settlement of any question in Ireland from the Imperial Parliament you have to make it a burning question."

They made it a burning question when the right hon. Gentleman the Member for Derby had to surround himself with 16 policemen. He burned, he was in flames, though now all his inflammatory rhetoric is on the other side.

"Mr. Gladstone himself admitted, when speaking the other day at Mid Lothian, that it was not until a police constable had been shot at Manchester in the discharge of his duty by the Fenians, and the Clerkenwell Prison had been blown up, that the Irish Church Question came within the domain of practical politics. He admitted in that way that you

have to direct English public opinion; that you have to act upon it in some extraordinary and unusual way in order to receive any consideration of the Irish Land Question."

It is quite true. It is exceedingly humiliating to your great leader. Why have I alluded to this? Because the whole speech of the right hon. Gentleman was directed to the same end. I think, as some hon. Members have remarked, that the time will soon come when a vote of thanks will be passed to hon. Members below the Gangway for having contributed so energetically and so successfully to that great piece of constructive legislation which is the charter of their land policy. I should like to have expanded the subject, remembering it is that as statesmen we are appealed to. The question how far outrage and intimidation should be allowed to play a part in efforts to obtain legislation in the future of this country is one I may commend to the candid consideration of both sides of this House. The right hon. Gentleman has been followed by others who have minimised every act which has been committed. I think it was the hon. Member for Leicester who said the Irish Members had been "wanting in a sense of proportion as between means and the end." I think the hon. and learned Member for Aberdeen held similar language. In the same way we have had the connection with the Clan-na-Gael minimised. Many hon. Members have alluded to the new definition of the Clan-na-Gael given by the hon. and learned Gentleman the Member for Fife, the *enfant terrible* of the other side, in words which will be remembered [*laughter*]—I hope you like the phrase—that the Clan-na-Gael was a friendly benefit society. I thought he would next call the Invincibles a society of Oddfellows, and the moonlighters a society of Ancient Foresters. I call that minimising in a way which would scarcely recommend itself to the members of the Clan-na-Gael, and certainly not to the hon. Member for Cork, who distinctly represented them as a society of physical force. Such is the position in which we are landed in this debate. That is why we can accept no Amendment, and must confine ourselves to the Resolution. If we were to accept the suggestions which have been offered we should associate ourselves with the specious attempt that is made to undermine the political strength and morality of the country. You talk of calumny; but *United Ireland* for a series of years has indulged weekly in calumny [Mr. W. REDMOND: Not forgery]; no, not in forgery, but I ask the hon. Member which is worse? Do not speak of Pigott, the editor of the *Irishman*, which was continued for four or five years under the auspices of the Member for North-East Cork, with the declaration in every paper that it would be conducted with the same mind and with the same spirit as it had been conducted before. The mind was Pigott's and the spirit was Pigott's. [An hon. MEMBER: What about the *Times*?] The *Times* was taken in, but you were not taken in. You knew who Pigott was; you allowed yourselves to continue his paper, announcing to the Fenian Organisation that it would be continued with the same mind and spirit as it had been conducted heretofore. A more frank acceptance of the doctrines of Pigott could not be imagined. What is the explanation? That the paper was continued to give employment to a certain Mr. James O'Connor, whom it would have been cheaper to pension than to carry on the paper at a loss. And Mr. James O'Connor, who conducted the *Irishman* in that manner, is now a sub-editor of *United Ireland*, so that there is still a survival of the spirit of Pigott. No doubt there was culpable negligence in the acceptance of the forged letters. [An hon. MEMBER: No, no.] Well, ask your own friends. I am sure the right hon. Gentlemen on the Front Opposition Bench dare not say, would not wish to say, that the editor of the *Times* did knowingly accept the forged letters for the purpose of calumny. You speak of calumny and of the suffering which has been inflicted on the hon. Member for Cork. Is there no suffering which has been inflicted by *United Ireland* on other men? Do you remember the charge against Lord Spencer of burying in the grave the proofs of the innocence of his victims? You charged him with a number of most outrageous crimes; you charged him with shielding black-coated felony; you charged him with crimes beside which the crimes charged against the hon. Member for Cork are almost insig-

nificant. I ask any fair-judging candid man, is it not as base a calumny to accuse Lord Spencer of knowingly putting men to death in order to bury in their graves the proofs of their innocence as to charge the hon. Member for Cork with not repudiating the murder of of Mr. Burke? I say that it is a more hideous one than the other. But the charge has been retracted by the hon. Member for North-East Cork when he came before the Commission. What did he do when he came to give his evidence? At first he said it was not Lord Spencer and the right hon. Gentleman opposite (Sir G. Trevelyan) whom he had intended to charge personally, but the system. However, that would not do. The hon. Member was cross-examined, and an article was produced of which he admitted the authorship. That article distinctly stated—

"It will not do to ride off upon the evasion that it was the system and not Earl Spencer that sinned. . . . . He directed everything. . . . . his was the guiding mind."

The hon. Member has since said there is nothing which has caused him greater sorrow than to have charged Lord Spencer and the right hon. Gentleman opposite, but—mark the calumny—in the very sentence in which he relieved Lord Spencer and the right hon. Member in his examination before the Commission, in the very sentence in which he relieved them he placed the responsibility and guilt upon their subordinates. Some day Lord Spencer must tell us whether he accepts that transfer. It is superb magnanimity to forgive your opponents and to forget their insults; but that magnanimity is diminished if all that has been done was merely to transfer all the calumny from the principals to their humbler brothers in arms. I want to know whether the right hon. Gentleman accepts the transfer? Has the right hon. Gentleman seen the passage? [*Cries of* "Read, read!"] Yes—

"As to Earl Spencer and Sir G. Trevelyan we were wrong, absolutely wrong. I am sorry that there ever was an imputation of the kind. As to their subordinates, we were absolutely and in every particular right."

I must point out to the right hon. Gentleman that this fearful calumny as to men having been hanged when they were known to be innocent is resting upon men who were loyally working with the right hon. Gentleman. Make your reconciliation; embrace each other and stand together on platforms cheek by jowl; but when you do so remember that you are doing so at the expense of the reputation of the men who have loyally served you, and who are as honourable and as virtuous as yourselves. The friends of the Member for Cork ask for our sympathy; but in order to entitle them to that sympathy let them retract the calumnies with which they have blackened the characters of honourable men. We have been denounced as being unfriendly to Ireland. There is no unfriendliness to Ireland in our thinking of the reputation of Irish officials as well as of English statesmen. There is nothing offensive to Ireland in regretting that a confession has been made that no conciliatory legislation can take place unless it has been preceded by outrages. We think that we at least are taking a course which will commend itself to our fellow-countrymen by saying that we will not follow the line indicated to us by the right hon. Gentleman the Member for Mid Lothian, and that we will not admit that it is by a certain calculated number of outrages that redress must be sought for the evils of Ireland.

*(11.28.) MR. CAINE (Barrow): I rise, Sir, for the purpose of moving the following Amendment:—To add at the end of the right hon. Gentleman's Resolution the following words:—

"And, further, this House deems it to be its duty to record its condemnation of the conduct of those who are responsible for the accusation of complicity in murder brought against Members of this House, discovered to be based mainly on forged letters, and declared by the Special Commission to be disproved."

SIR EDWARD GREY (Berwick): I beg to second that Amendment.

Amendment proposed, at the end of the Question to add the words—

"And, further, this House deems it to be its duty to record its condemnation of the conduct of those who are responsible for the accusation of complicity in murder brought against Members of this House, discovered to be based mainly on forged letters, and declared by the Special Commission to be disproved."—(*Mr. Caine.*)

Question proposed, "That those words be there added."

(11.30.) MR. J. MORLEY (Newcastle-upon-Tyne): I must begin by expressing my great satisfaction that the hon. Member for Barrow has had the courage to take charge of an Amendment which for some inscrutable reason the hon. Member for Stockport (Mr. Jennings) thought fit to drop. The hon. Member for Stockport gave us three good reasons for placing the Amendment which stood in his name upon the Paper; but I would have made him a present of those three reasons if he had given us one good reason for not having moved it. All I can say is that we shall have the utmost pleasure in supporting the Amendment that has just been moved, not because we think that it will much strengthen the Irish cause, but because we believe that it is necessary for the honour and dignity of this House. I shall now pass on to the oration that we have just listened to from the Chancellor of the Exchequer. He asks us as to the true charge against the *Times*. We tell him what the true charge against the *Times* is—the charge that we mean to affirm by voting for my hon. Friend's Amendment. Our charge against the *Times* is that they deliberately bought letters to damage political opponents. Our charge is that they made no inquiry, no proper or adequate inquiry, even of the most meagre character, as to the authenticity of those letters. We charge them with persisting in giving publicity to those letters after they had the best possible reason to suppose that they had got them from a foul and tainted source. My hon. and gallant Friend the Member for North Armagh (Colonel Saunderson) said that the moment it was whispered that it was from Pigott the letters had come, he knew it was evidence on which they would not hang a dog. But if my hon. and gallant Friend knew that, the Irish counsel for the *Times* must have known it. That is our charge against the *Times*—buying letters to damage political opponents, and deliberately persisting in backing up those letters until at last the truth was extorted from them by circumstances for which we owe them no thanks. The Chancellor of the Exchequer dealt too briefly with the criticisms which have been passed upon the Attorney General for his coming before this House with a mask on—coming before us not as the Attorney General, not as Member for the Isle of Wight, but in some capacity as counsel for the *Times*, and saying to the House that he could prove certain charges, and sheltering himself now behind the instructions which the *Times* gave—as the *Times* shelters itself behind the eminent authority of the Attorney General. The Chancellor of the Exchequer instituted a not very felicitous parallel between the conduct of the *Times* and the conduct of *United Ireland* in its attack on Lord Spencer; but was not the line of that attack the line that the Tory Party took in 1885. Was not that the bond of union between the Tory Party and the Gentlemen below the Gangway?

*MR. GOSCHEN: In those attacks it was not held for a moment that Lord Spencer had connived at crime. They went in the opposite direction.

MR. J. MORLEY: I point to the Maamtrasna debate. I have just read it, and I affirm that if that debate meant anything it meant discrediting Lord Spencer in the most serious manner. I say that the discrediting of Lord Spencer was the price of the alliance between Gentlemen opposite and those below the Gangway. ["Oh!"] I hear the Under Secretary for India interrupting me. Why, the Under Secretary for India and the Solicitor General—whom I do not see present—voted for the Motion discrediting Lord Spencer.

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): I never made any charge against Lord Spencer.

MR. J. MORLEY: I do not say he made a charge. I say the hon. Member voted for that Motion. No, Sir; I think the least said by hon. Gentlemen opposite about Lord Spencer the soonest mended. What account did the right hon. Gentleman give of this tribunal, which the noble Lord so ably assailed at the commencement of our proceedings this evening? He said it was constituted under

pressure from Gentlemen below the Gangway. Was it that pressure that made you insert references to "other persons" besides Members of Parliament —that made you extend the reference from specific and definite charges into a general inquiry into an organisation covering the whole field of crime—that made you closure all their Amendments? The right hon. Gentleman talked about the Motion for adopting this Report being on all fours with the entering of a Report from the Election Judges on the Journals of this House; but he forgets that the Reports of Election Judges are entered by Statute, and that consequences follow from the findings of the Election Judges. But you will take good care that no consequences will follow from the findings of the Commission Judges. The remarks of the right hon. Gentleman as to Le Caron and the secret service money were remarks which should not fall from any Minister—and I recognise no Minister has a greater sense of responsibility than the Chancellor of the Exchequer—who feels a sense of his responsibility. I do not think such remarks should be made across the Table of the House. I do not think it is in the interest of either Party to make such appeals. All we know is this: that information in the possession of the Government was transferred by Mr. Anderson, acting under the authority of a Minister, to one of the parties in this case, and the existence of Le Caron was disclosed by Mr. Anderson to that party. One more point in the Chancellor of the Exchequer's speech. He rose to immense heights. He said it was a humiliating confession for my right hon. Friend to admit that agitation in Ireland had any connection with the passing of the Land Act. "We thought," said the right hon. Gentleman "That it was a great piece of constructive statesmanship. What a lesson to teach," said the right hon. Gentleman. Why, Mr. Speaker, the Tory Party has never taught Ireland any other lesson. That lesson is the history of your Tory Administration, and I think it is being taught in Ireland at the present moment. I think my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) must have winced under the rhetoric of the Chancellor of the Exchequer; because my right hon. Friend said, and, I think, said most truly, in a speech at Liverpool on October 25, 1881—

> "The original objects of the Land League were legal and even praiseworthy, and to stifle agitation at such a time," that was in 1881, "would have been to prevent reform . . . . If the Land League had been suppressed in 1881 the tenants would have had no organisation to fall back upon."

Sir, I have a pretty good recollection of what occurred in 1880 and 1881, and I say that at the very time when my right hon. Friend made these observations we had gone through that bad winter of 1880 which was thought to justify—as I think wrongly—Mr. Forster's Government in bringing in the Coercion Act of 1881. My right hon. Friend may say that he was in favour of agitation, but not of crime; but does he think that an agrarian agitation in Ireland can be like an agitation in Birmingham or Newcastle? Everyone who knows the rudiments of the subject of agitation in Ireland knows that there agrarian agitation is absolutely inseparable from the commission of outrage. [*Loud Ministerial cheers.*] Yes; by your cheering you imply that therefore the agitators themselves are responsible for every outrage that occurs. [*Cheers.*] Well, you might just as well say that my right hon. Friend himself, when he told the Irish people that agitation was necessary to procure reform—you might just as well say that he incurred the moral reponsibility of whatever crime was afterwards committed. After all, I do not think that the position of the Chancellor of the Exchequer is a remarkably impressive one; because the Government are to place before us a Tithes Bill this Session, and I ask, Can anybody say that that measure would have been brought in if the Welsh farmers had gone on peacefully paying their tithes? [*Cries of* "Yes."] When the Bill is discussed we shall be interested to hear the Chief Secretary for Ireland, who I think said "yes"—we shall be interested to hear him support that view. A good deal has been said to-night about the price that the Party opposite paid for the Irish vote, and many attempts have been made in this debate to clear the Tory Party of the supposed stigma—which, in

my opinion, is no stigma at all—of alliance with the Irish Representatives. But I find that no less a person than the Chief Secretary himself in 1885, when the elections were proceeding, did not think as ill of the Parnellites, as he called them, as he represented in his speech last night. According to his speech last night, and according to the Chancellor of the Exchequer's to-night, the stain of personal dishonour, of personal complicity in evil-doing, attaches to Gentlemen below the Gangway. But in 1885 the right hon. Gentleman said—

"There was not one cardinal principle of Liberal policy which they (the Liberal Party) had in common with the Irish people. That was not the case with the Conservatives. There was one principle which the Conservatives held as earnestly as the Party to which Mr. Parnell belonged, and that was the principle of religious education. Upon that question the Tory Party, the Roman Catholic Party, and the Parnellite Party were absolutely at one, and, united as they were on that subject, they were divided by a wide and impassable gulf from the Radicals."

Now the right hon. Gentleman knew at that time all that he knows now. [*Cries of* "No."] He must have known all that he knows now as to the charges made against the Irish Members of boycotting, intimidation, and complicity with Patrick Ford, receiving money from Patrick Ford; and though boycotters and intimidators, and though they were criminal conspirators and in alliance with murderers and assassins, yet he and the Tory Pary were willing to shake hands with them because they were sound on the principles of religious education.

*Mr. A. J. BALFOUR: I did not know nearly as much then as I do now; and if the right hon. Gentleman will look at my election address he will see (if at this distance of time my memory serves me right) that I separated myself in the most absolute manner from every species of Home Rule under whatever name it was called, and I stated that unless crime in Ireland could be repressed by other means, a Coercion Bill would have to be passed.

Mr. J. MORLEY: I do not dispute what the right hon. Gentleman has said; but I do not think that it disposes of my point, which is that he did not think their complicity in criminal conspiracy, their connivance with crime, any reason, considering their admirable views on the religious education question, why he should not pose as a friend of the Irish Party.

*Mr. A. J. BALFOUR: I thought it no reason then why Irish electors should not vote for me if they liked, and I think it no reason now.

Mr. J. MORLEY: If the right hon. Gentleman wants the Irish Party to vote for him I do not think he is taking the right course to obtain their support. Now, I should like to make some remarks on the speech of the right hon. Gentleman the Member for West Birmingham. My right hon. Friend treated all the findings of the Commission with which he dealt as if they were verdicts of a Court—as if they constituted a regularly established verdict of a Court of Law. Now, when the proposal was before the House of Commons that a Select Committee should be granted to inquire into these charges and allegations, my right hon. Friend made a point by arguing that such a Committee would be open to the great objection of being both Judge and jury. He objected to a Select Committee because it was all jury and no Judge, and yet he takes the findings of the Commission, which are those of Judges and no jury. The right hon. Gentleman adopts as a judicial finding what looks like, but is not really, a conviction, as it is the decision of a tribunal which is not competent, as the right hon. Member for Derby has pointed out, to define even the law. I protest against the use which is being, and will be, made of the controversial findings of an irregular and exceptional tribunal as if it were the verdict of a regular tribunal of the land. What you do is this. You harry the Irish with exceptional tribunals in their own country, and then you endeavour to hunt them down by exceptional tribunals here. The right hon. Member for Bury, whom I do not see here, and who I rather think is denouncing us somewhere in the North of England, used an image which described fairly enough his want of appreciation of the circumstances with which we have to deal when he compared the Members of the Party below the Gangway to the Directors of a Joint Stock Company. I cannot imagine a figure which betrays more entire misappreciation of the conditions with which we have to deal. I do not know how

many Gentlemen here went into the Commission Court. You saw there all the panorama of modern Irish life; you had before you the peasants in their frieze coats; you saw prisoners from gaol; you saw the sinister and ill-omened face of the spy; you saw resident magistrates, divisional magistrates, and Irish constables; you listened to the whole story, from the hovels on the west coast of Galway across to the crowded cities of the United States. You had before you the whole tragedy of the Irish race and people, and you saw a scene which I make bold to say the future historian will record as being as memorable as any that have taken place in that ancient Hall through which we pass to enter this House; and yet, in the face of a scene of that sort, hon. and right hon. Members can come forward and speak as if they had been present at the winding up of a Joint Stock Company or the liquidation of a fraudulent bankruptcy. It is that want of appreciation which has landed us in all our troubles with Ireland. I should like to ask the Chief Secretary with his present views, to which he gave such deplorable utterance last night—I should like to ask him what prospect, what chance, he has to carry his own views and policy out to a good end when he goes out of his way to exasperate and embitter the controversy—when he goes out of his way to make himself the champion of this dirty organ the *Times*? He is about to give us, if he has his way, 20 years of firm and resolute government. Is the *Times* for 20 years to be free? Is it to be like London's monument, which, as Pope said, "Like some tall bully lifts its head and lies." Is the *Times* to lift its head and lie and count on being supported by the Irish Minister? The Chief Secretary is going to bring in a Bill to extend Local Government in Ireland. Who will work Local Government in Ireland? The very men whom last night he taxed with being stamped with personal dishonour. The Chief Secretary distinctly stated that it was not a mere charge of moral complicity, but of personal, direct complicity in dishonourable conduct which was brought against those Members. The right hon. Member for Bury in his eloquent speech before the Commission wound up with a peroration in which he called upon the Irish people to resort to new modes of action and to get true men to guide them. By new modes of action he meant returning to old modes of suffering. What new leaders? The hon. Member for South Hunts (Mr. Smith-Barry) I suppose, whose power of winning popularity the state of Tipperary now attests. Or are they to be won by the wise and benignant temper of the hon. Member for North Antrim, or by the hon. and gallant Member for North Armagh? The hon. and gallant Member has often told the House, however, that the laurels he would like to win are not civil ones, but those gained amid the "pomp and circumstance of glorious war." The Irish know their leaders, and are going to adhere to them, and we are going to stick to them. And you may depend upon it that the only chance of winning success, either for Land Purchase or for Local Government, is to have the support and the sympathy and approval of the Gentlemen who represent the sentiments and wishes of the people of Ireland.

Sir G. TREVELYAN (Glasgow, Bridgeton) and Mr. BYRON REED (Bradford, East) rose together, but the Speaker called on Sir George Trevelyan, but he having resumed his seat after saying that he desired to make a personal explanation,

MR. SPEAKER called upon—

MR. BYRON REED (Bradford, East), who said: I wish to move the following Amendment as a rider to that of the hon. Member for Barrow:—

"But that nevertheless this House desires to record its condemnation of those persons who, by the Report of the Special Commission, have been proved to have been engaged in criminal conspiracy, and—"

It being midnight, Mr. SPEAKER proceeded to interrupt the Business;

Whereupon Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That those words be there added."

The House divided:—Ayes 259; Noes 321.—(Div. List, No. 24.)

Main Question put, and agreed to.

Resolved, "That Parliament having constituted a Special Commission to inquire into the charges and allegations made against certain Members of Parliament and other persons, and the Report of the Commissioners having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matters referred to them; and orders that the said Report be entered on the Journals of this House."

REVENUE, TAXATION, AND POPULATION.

Return ordered—

"(In continuation of Parliamentary Paper, No. 36, of Session 1884), respecting the Duties on Spirits, Wine, Malt, and Beer, &c., together with the Duty on Tobacco and the Excise Licenses Duties, in order to show, as nearly as can be ascertained, the Proportions of the several Items of Revenue derived from England, Scotland, and Ireland respectively, for the year ending the 31st day of March, 1889 (or the latest financial year for which the information can be given), and the Results for each of the three Kingdoms:

"Return to be divided in the same manner, between England, Scotland, and Ireland respectively, showing the produce of each of the other sources of Revenue, as nearly as can be ascertained, derived from Taxation (the Income Tax on the Salaries of Persons in the Service of Government not to be included); and a Summary to be given by adding the Results of both Divisions together:

"And, the Population of England, Scotland, and Ireland respectively, as estimated by the Registrar General for the middle of 1888, together with the number of Members of Parliament which each of the three Kingdoms would obtain if the 670 Members were allotted according to the Population of each. [Notes to be added to the Return to point out any Items in which the Net Revenue for each of the three Kingdoms cannot be distinguished]."—(*Mr. Provand.*)

SOLICITORS AND APPRENTICES (IRELAND) BILL.

On Motion of Mr. Maurice Healy, Bill to amend and consolidate the Laws relating to Solicitors and to the service of indentured Apprentices in Ireland, ordered to be brought in by Mr. Maurice Healy, Mr. Reynolds, Mr. Macartney, Mr. O'Hea, Mr. O'Keeffe, Mr. M'Cartan, and Mr. O'Neill.

Bill presented, and read first time. [Bill 182.]

EXPERIMENTS ON LIVING ANIMALS.

Address for—

"Copy of Report from the Inspector, showing the number of Experiments performed on Living Animals during the year 1889, under licenses granted under the Act 39 and 40 Vic., c. 77, distinguishing Painless from Painful Experiments (in continuation of Parliamentary Paper, No. 114, of Session 1889)."—(*Mr. Stuart Wortley.*)

WESTERN AUSTRALIA CONSTITUTION BILL.

Ordered, That the Select Committee do consist of Nineteen Members:

Ordered, That Colonel Malcolm, Mr. Staveley Hill, Mr. Stanley Leighton, Sir George Baden-Powell, Sir Richard Temple, Mr. Ernest Beckett, Sir John Colomb, Sir Edward Hamley, Lord Ebrington, Mr. Wodehouse, Mr. John Morley, Mr. Osborne Morgan, Sir George Campbell, Mr. Rathbone, Mr. William M'Arthur, Mr. Octavius V. Morgan, Mr. Justin M'Carthy, Mr. O'Kelly, and Baron Henry De Worms be nominated Members of the Committee:

Ordered, That the Committee have power to send for persons, papers, and records:

Ordered, That Five be the quorum.—(*Baron Henry De Worms.*)

PAUPERISM (ENGLAND AND WALES).

Return ordered—

"Of monthly comparative Statement of the number of Paupers of all classes (except Lunatics in Asylums, Registered Hospitals and Licensed Houses, and Vagrants) in receipt of Relief in England and Wales on the last day of every week in each month of the several years from 1857 to 1890, both inclusive:

"Of Statement of the number of Paupers (Lunatics and Vagrants included), distinguishing the number of adult able-bodied Paupers relieved on the 1st day of January, 1890:

"And, of similar Statement for the 1st day of July, 1890, respectively."—(*Mr. Long.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 94.]

House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 12th March, 1890.

SELECTION (STANDING COMMITTEES).

SIR JOHN MOWBRAY reported from the Committee of Selection; That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Law, and Courts of Justice, and Legal Procedure which may, by Order of the House, be committed to such Standing Committee:—Mr. Tyssen Amherst, Mr. Asquith, Mr. Atherley-Jones, Mr. J. B. Balfour, Mr. Bartley, Mr. Beach, Mr. Beadel, Mr. William Beckett, Mr. George Cavendish Bentinck, Mr Jacob Bright, Mr. Bryce, Sir George Campbell, Sir Edward Clarke, Mr. Jesse Collings, Dr. Commins, Mr. Cremer, Mr. Curzon, Mr. Darling, Mr. H. T. Davenport, Colonel Dawnay, Sir John Dorrington, Mr. Dugdale, Mr. Arthur Elliot, Mr. John E. Ellis, Mr. Elton, Sir Thomas Esmonde, Mr. Finlay, Mr. Forrest Fulton, Mr. Herbert Gardner, Mr. Herbert Gladstone, Sir William Vernon Harcourt, Mr. T. M. Healy, Mr. Stavely Hill, Mr. Samuel Hoare, Mr. Hobhouse, Mr. Isaacs, Sir Ughtred Kay-Shuttleworth, Mr. Kenyon, Mr. W. F. Lawrence, Mr. George Shaw Lefevre, Sir Charles Lewis, Mr. Lockwood, Viscount Lymington, Mr. Macartney, Mr. Francis Maclean, Mr. Swift MacNeill, Mr. Madden, Mr. Mahony, Mr. Marum, Mr. Story Maskelyne, Mr. Matthews, Mr. Milvain, Mr. John Morley, Mr. William O'Brien, Mr. Pickard, Mr. Picton, Mr. Thomas P. Price, Sir John Puleston, Mr. John E. Redmond, Mr. Bannerman Robertson, Mr. T. W. Russell, Sir Charles Russell, Sir Richard Temple, Sir George Trevelyan, Mr. Whitmore, Mr. Arthur Williams, Mr. Wodehouse, and Mr. Stuart-Wortley.

SIR JOHN MOWBRAY further reported from the said Committee; That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Trade (including Agriculture and Fishing), Shipping, and Manufacture, which may, by Order of the House, be committed to such Standing Committee:—Mr. Addison, Mr. Asher, Mr. Banes, Mr. Baring, Mr. Barran, Sir Michael Hicks Beach, Sir Edward Birkbeck, Mr. Bolitho, Mr. J. C. Bolton, Mr. Bonsor, Mr. Boord, Mr. A. H. Brown, Mr. Brunner, Mr. Burt, Mr. Joseph Chamberlain, Mr. Childers, Mr. Colman, Mr. W. J. Corbet, Sir James Corry, Mr. Craig, Sir Charles Dalrymple, Mr. Stormonth Darling, Baron Henry De Worms, Mr. Dixon-Hartland, Sir George Elliott, Mr. T. E. Ellis, Colonel Eyre, Mr. Hayes Fisher, Mr. R. U. Penrose FitzGerald, Mr. Gilliat, Sir Julian Goldsmid, Mr. Grotrian, Mr. A. W. Hall, Sir William Houldsworth, Mr. Howell, Mr. Hoyle, Mr. Jackson, Mr. William Lowther, Sir John Lubbock, Mr. Peter M'Donald, Mr. M'Lagan, Mr. Mundella, Mr. Muntz, Mr. Murphy, Sir Stafford Northcote, Mr. T. P. O'Connor, Sir Richard Paget, Mr. Parnell, Sir Joseph Pease, Mr. Richard Power, Mr. Rathbone, Mr. Edmund Robertson, Mr. Round, Mr. Sexton, Mr. Sheil, Mr. William P. Sinclair, Mr. Samuel Smith, Mr. Ernest Spencer, Mr. Mark Stewart, Mr. T. D. Sullivan, Mr. Tomlinson, Sir Richard Webster, Mr. Wharton, Mr. Whitley, Mr. S. Williamson, Mr. C. H. Wilson, Mr. Winterbotham, and Mr. Wood.

SIR JOHN MOWBRAY further reported from the Committee; That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following Fifteen Members, in respect of the Companies (Winding-up) Bill and the Companies (Memorandum of Association) Bill, viz:—Sir Horace Davey, Mr. Dickson, Colonel Hill, Mr. Howard, Mr. Kenrick, Mr. Kimber, Mr. Lawson, Mr. William M'Arthur, Mr. Molloy, Mr. Quilter, Sir Albert Rollit, Mr. Royden, Mr. Thomas Sutherland, Mr. Warmington, and Mr. John Wilson.

Ordered, That the Report do lie upon the Table.

ORDERS OF THE DAY.

TENURE OF LAND (IRELAND) BILL.
(No. 3.)

Order for Second Reading read.

*(12.50.) DR. COMMINS (Roscommon, S.): I beg to move the Second Reading of this Bill. The tenure of land in Ireland is after all the great question of the day in that country, as it has been for a very long period of years; we therefore take the earliest opportunity of bringing before the House certain Amendments of the recent Tenure of Land Act for Ireland, in order to give full effect to the provisions of the Act and in order to prevent the injurious results with which one or two of them have been working in the past. The first matter to which I wish to call attention is this. It is practically admitted by everybody that the improvements which have been made on farms in Ireland have been made entirely by the tenants. It was admitted in so many words in the speech of the right hon. Gentleman the Chief Secretary the night before last, and as it is a proposition which no one is inclined to controvert, we assume that it is so. As the Bill of 1881 left this House it contained a provision that was intended to debar the imposition of rent upon improvements effected by the tenant. The Bill came back to this House with a very invidious provision inserted in it, that the tenant was only to be freed from the imposition of rent for his own improvements where he had

An Asterisk at the commencement of a Speech indicates revision by the Member.
Corrected with H.M.'s Government.

not been paid or "otherwise compensated" for such improvements. I pointed out at the time what the effect would be from a lawyer's point of view, and I remember that the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) said on that occasion that such an understanding as I then indicated, was impossible. He added that the intention of the House was unmistakable, and with the late Lord Chancellor of Ireland, who was then Attorney General, sitting beside him, he said that the intention of the House was clear that no rent was to be imposed for the improvements of the tenants. Nevertheless I was not satisfied, and I stated that when the matter came into Court it might be held conventionally that enjoyment of the improvements would be regarded as a compensation. My contention was pooh-poohed at the time, but soon after the passing of the Act the question was directly raised in Court, and the decision was as I had indicated, namely, that the enjoyment of the tenant for some indefinite time was sufficient to compensate him for the improvements he had himself made and had alone called into existence, and without which the land would be worth nothing at all. This decision has created a great revulsion of feeling, and has been a bitter disappointment to the tenants. I regard it as an outrageous decision, and one which violates common sense. I should like to know what other description of property was ever created by possession or under the provisions of an Act of Parliament, the mere enjoyment of which has been considered sufficient to extinguish a right to its full value. As a rule, the length of possession is recognised as giving a prescriptive right, but in this case, when an Irish tenant has been in the enjoyment of his own improvements for 20 years or more it is held that that fact alone is sufficient to compensate him for such improvements, and to justify the imposition upon him of a rack-rent. This Bill proposes to bring back the Act of 1881 to the position in which it left this House. That is the first provision of the Bill. The next thing I propose is, that in order to give effect to the beneficial intention of the Act of 1881, future tenancies after the passing of that Act must be brought down to the position of the tenancies which existed at the time of the passing of the Act. A "present tenancy" was declared by the Act to be a tenancy at the time of the passing of the Bill—an ordinary tenancy from year to year. That was the only tenancy for which the Act provided, and it was then suppose that in the course of a few months, or perhaps a year, the rent of all "present tenancies" would be fixed in Ireland. How far short of that proposal the reality has been, I will explain later on. The next provision we introduce with a view of improving the action of the Act of 1881, is one that will reduce the statutory term therein established. It was found that that term was so long that the fluctuation of prices and of seasons, good times succeeding bad, and bad times succeeding good, came in far more rapid rotation than the 15 years provided for in that Act, and showed that the fixing of a term of 15 years was much too long. We propose, therefore, to reduce that term to seven years, which we consider to be quite sufficient for all necessary purposes. Next come what we regard as the most important provisions of the Bill. As hon. Members on both sides of the House will remember, the question which has given rise to the greatest difficulty in legislating upon this subject, is the question of arrears, the law with regard to which was left unsettled and unfixed. In the Act of 1881 there was no provision dealing with the Arrears Question. That Act for the first time practically admitted that the tenant was joint owner with the landlord of the farm he had improved and the value he had created in the land on which he had spent his life and labour; and that, therefore, he was entitled to an equitable interest in the property. But this provision was never enforced, although under that Act for the first time the tenant obtained the legal interests in the soil, to which he was attached both materially and morally. In giving him that legal right it was intended that his own improvements should not be taxed, and that rent, either rack-rent or otherwise, should not be charged against him on the property he had created, and a still further advance was made by giving to the Court the power of fixing what was a fair rent to be paid by the occupying tenant. It was then argued, and has since been demonstrated with an absolute clearness which no one can deny, that the rents which are being charged are

rack-rents in every sense of the word; and by rack-rents I mean a rent not the result of a fair and open agreement, but an imposition and a tax which the man who pays it has no power to refuse or resist, being as much subject to it as the taxpayers of this country are subject to the payment of any tax the Government, with the support of Parliament, may impose. Such are the rack-rents which prevail in Ireland. But rack-renting is not only the custom of the country; it is a system that has grown up under the economical conditions which prevail, and are to some extent the law of the land, the landlords being in many cases compelled to exact it. But those rack-rents which are not calculated on the returns from the land or the profits of capital, or the wages of labour, nor upon any other economical condition, are always put down in the minds of the people as unjust and unfair, while the fact that they are also impossible rents is patent from the arrear. There have for many years been circumstance that the whole country is in what are called, first the running gale, and next the hanging gale. The running gale is the last rent payable, the hanging gale being the one going back six months or more, antecedently, so that there is generally speaking an arrear of some 12 months upon the rents due from the Irish tenants. Taking them all round it has become simply impossible to pay these rents. I am very far from denying that there are not many good landlords in Ireland who deal honourably and justly with their tenants, as should always be the case between good landlords and neighbours; but unfortunately the majority of the landlords are men who either insist upon rack-rents or are obliged to do so, and in very many cases allow the arrears to accumulate for two, three, four, or five years, and I believe in some instances for as many as 10 years. Well, the moment 12 months' rent is due the landlord has the power of evicting for non-payment, so that practically you have evictions hanging like the sword of Damocles over the heads of the tenants, while the arrears are allowed to accumulate with *malice prepense* in some cases, although in others it may have been owing to the good nature of the landlord. When the Act of 1881 was passed there was a good deal more than year's rent, for which alone the landlord could distrain, owing from the different tenants, and a large proportion of these were precluded from taking advantage of that Act. Where more than the year's rent was due the landlord issued a writ, and was able to confiscate the tenant's title to his share in the soil and turn the tenant out, or prevent him from applying to the Court at all, or, if he did apply, to stop him midway in the process and prevent his getting the benefit of his application. But this is not all. That Act was avowedly passed for the purpose of checking cruel and unjust evictions, as well as unjust rack-renting, and the result has been that it has rather acted as a stimulus to evictions than otherwise. At the time the Act was introduced the right hon. Gentleman the Member for Mid Lothian said eviction notices were falling like snow flakes all over the country, and he also said eviction notices were oftentimes sentences of death. The figure of speech then used by the right hon. Gentleman was not one whit too strong, and was certainly more justified by the facts than figures of speech usually are. What, Sir, is the case at the present moment? Owing to the fact that the arrears question still remains unsettled, there has been a war going on ever since the period referred to, totally untouched by the Amendment Acts that have been passed since 1881—a war between the landlords on the one side and the tenants on the other. The landlords utilise this weapon of arrears for the purpose of restricting the effects of the Statute, and debarring the tenants from the benefits it would otherwise confer in the event of their desiring to go into Court, and at this moment eviction notices are falling like snow flakes through the country, inflicting—not, perhaps, in all cases, though there are some in which it can be alleged—physical death upon the victims; but at any rate what may be termed economical and industrial death. We know, of course, what happens to the tenant under these circumstances. He is turned into a caretaker, and loses all the benefit he would otherwise have obtained from the Act of 1881, being again placed absolutely at the mercy of the landlord, who may rack-rent him *ad infinitum*. Well, Sir, I propose by Sections 5 and 6 of this Bill to deal with this strangely-overlooked question of arrears. Perhaps I should be wrong

in saying it is altogether overlooked; it was not altogether overlooked in the tenant clauses of the Act of 1887, which I have cited, because they carefully kept the arrears alive for the purpose of neutralising the Act of 1881. I think it high time that this House should interfere, and put a stop to the inequitable law relating to those arrears. The Land Courts have shown that rack-renting exists in Ireland to an extent greater than was previously understood by this House, greater even than has been found by the Devon Commission. I refer the House to a Return which has been laid upon the Table within the last few days, and which shows that in that happy district which constitutes the North of Ireland you have the Courts reducing the rents of the tenants to an average extent of some 30 per cent. or 40 per cent. every day. Well, Sir, what has been shown to be the case in the North also exists in the South. Unjust rack-rents, which never ought to have been imposed, and which have the effect of preventing all improvements and tend largely to fetter the industry of the tenants, are constantly imposed. And I say that those rack-rents ought to be swept away altogether. What we want, therefore, is power to do this. There is such a power given to the Court under the Scottish Crofters' Act, and under Section 5 of this Bill we propose to give a power which, we think, would be just and equitable to every person coming under the operation of the Bill. It is simply that if the tenant is evicted for non-payment of rent, and that tenant has in his holding a property recognised by the law—a property which the law says he has in conjunction with the landlord—before his co-partner in that farm shall be allowed to turn him out an account must be taken between them, and the value of the tenant's interest shall be set against the inequitable arrears of rent to which I have referred, and, unless there is a balance in the landlord's favour enabling him to support a process of ejectment that process shall not be allowed. In other words, it is proposed to apply the principle of ordinary partnership to the relations which exist between landlord and tenant. The tenant has a justly and honestly acquired property in the soil, and the Bill provides that that property shall be protected against the enforcement of unjust arrears in respect of an impossible, cruel, and extortionate rent, whereby the tenant's share in the soil is at present liable to be cancelled, and the landlord is practically enabled to inflict not only a forfeiture of his interest in the property but what amounts to the tenant's extinction, industrially and economically. Instances of this might be adduced by thousands; they are put before us in the newspapers day by day, and are well known to every one acquainted with the operation of the Land Law in Ireland. I will, however, mention one case. Only a fortnight ago a farmer who had expended £600 in erecting farm buildings on the land he occupied, but who owed a single year's rent, amounting to £100, was evicted for the non-payment of that rent, the landlord thereby confiscating the property to the value of £600, which really belonged to the tenant. I think the House will see that such a state of things is grossly unfair, and by Clause 5 of this Bill I have tried to provide a remedy, by enacting that until the landlord's arrears have cancelled the tenant's interest in the soil, the landlord shall not be allowed to evict. Section 6 goes a little farther. We know there have been cruel cases like that to which I have just referred, where many times the value of the arrears have been left behind by the evicted tenant, and where the restitution of his property ought to be allowed if the tenant is prepared to bring himself within the provision set out in Section 5. By Section 6 it is provided that where a tenant comes into Court within six months of his eviction and pays 6 months' rent down, he may then apply to have a common account taken as between himself and the landlord, and if the account is shown to be in the tenant's favour the Court shall have the power of restoring him to his position as occupying tenant. These are the most important clauses of the Bill. The next clause, 7, applies to leaseholds. The Act of 1887 extended the benefits of the Act of 1881 very considerably, by admitting leaseholders to the advantages of the Act, but it stopped short by admitting only leaseholders whose leases do not extend beyond 99 years from the commencement of the Act. This necessarily left a very consider-

able section of the leaseholders outside the provision of the Act, and probably the hon. Member for South Tyrone (Mr. T. W. Russell) will be able to confirm what I am about to state. Ulster, as everybody knows, is a great industrial centre, in which there is a considerable demand for land, and at the end of last century a great proportion of the population, both Presbyterian and Catholic, not being permitted to obtain freeholds in the land, were obliged to take it on lease; whereby they were subjected to rack-rental. Many of them got leases of 999 years, and the rack-rental to which they were subjected has come down to the present day. Those leaseholders are debarred from enjoying the benefits of the Land Law Ireland Act of 1881 as extended by the Act of 1887. This, I say, is a great injustice, which I now propose to remedy. If they are not occupying tenants, and have sub-let their land, the yare probably placed in even a worse position still. Of course, occupiers in Ulster are entitled to the Ulster Tenant Right; and they often are the owners of a larger interest than their landlords, and he is bound to pay his landlord, no matter what he can get out of the tenant to whom he sublets, and the result is that between the upper and the nether millstone the actual tenant of these long leaseholds is pretty nearly ground to death. Both these tenants, I think, are entitled to the relief which is given to everyone else in the Acts of 1881 and 1887. Clauses 8, 9, 10, 11, and 12 have relation to the rights of turbary. A stranger to what is going on in Ireland looking to those clauses might fancy they were occupying a large amount of space in dealing with an apparently trivial matter, but those who are aware of the actual state of things in Ireland and the general condition of the Irish peasant know that the turbary question is in reality no trifling matter. Unlike England, Ireland, unfortunately, is not rich in coal mines; on the contrary, I am sorry to say, she is very poor in that respect, and the small quantity of coal she does possess, being of the kind known as Anthracite, is of an inferior quality, and ill adapted to farm purposes. It does not flame like other coal and is difficult to kindle. Something like three-fourths of Ireland are practically shut out from the use of coal, and are entirely dependent for their fuel on the turf bogs which nature has rather liberally provided in that country. Turf is practically a necessity of life to the Irish peasant, he must have it, and to deprive him of it would be almost the same as if you were to deprive him of water or the means of breathing the fresh air. He cannot live without it. The Acts of '81 and '87 contain no provisions with regard to this important matter, and the result is that landlords who are hit hard in the Land Courts try to recoup themselves by depriving the tenants of their turbary rights, and in this way bringing to bear a tremendous influence, with a view of preventing their resort to the Land Court. In this way tenants are debarred from the bog rights which their fathers, grandfathers, and great grandfathers have fully enjoyed before them, and, in order to preserve their right to cut the turf, they are compelled to pay extortionate rents for it. As far as continued usage and undisputed custom go these turf rights were the legal rights of the tenants, but now they are completely taken away, and what is proposed by this Bill is to set up the same kind of system that exists in England, where, on an English manor, turf rights exist. The Bill proposes that wherever a tenant applies for rights of turbary the Court shall have power to grant the application. We have all heard of the recurring periods of distress which have afflicted Ireland, and we know that among the large seaside population to be found on the Western Coast the people are in the habit of gathering seaweed on the shore or as it floats on the surface of the ocean, and of depending upon that supply as one of their regular means of support. At one time there was a considerable industry, the manufacture of iodine from seaweed, but this has long since decayed. But the great use of seaweed is as a fertiliser. Within a few miles of the sea coast on the Southern and Western shores of Ireland the fertility of the adjacent soil is entirely owing to the distribution of gathered seaweed, collected by the poorest of the population and sold by them to the farmers, who also collect it for themselves. Three miles from the shore in Donegal and Sligo and other counties I have seen the weed so used. In this country I believe the right to gather seaweed is common to anyone and everyone. The foreshore

between high and low water marks belongs to the Crown, and, except in a very few isolated instances, there has been no grant of foreshore rights to individuals in England. In Ireland I do not believe there have been any such grants. The foreshore is public property, anyone can go upon it, enter the water from it, and collect anything there except wreckage. But many landlords in Ireland whose property is near the coast have developed an idea of proprietorship in the foreshore, and demand a shilling a load from the poor creatures who go naked into the surf on the Donegal Coast to collect seaweed, a monstrous exaction, for which there is not a shred of justification at law. The 13th Section of this Bill merely declares the common law of the land, that anybody has a right to go on the foreshore and collect seaweed there, and that facilities for this purpose shall be accorded to all residents within a mile of the shore. Section 14 raises a new question entirely. We know that in England the mining industry, the companies, and corporations who work coal, iron, tin, and copper mines have long been crying out against the unscientific and onerous condition of the law relating to mining royalties. We know that in England and in England alone are royalties for mines in the hands of private individuals, that is to say, payments made to the owner of the surface for access to minerals under the earth by means of shafts and tunnels. These onerous leases, royalties, dead rents, and way-leaves greatly check the mining industry in England, and we have taken advantage of this opportunity to introduce a provision which will prevent the like happening in Ireland. Unfortunately, our mineral wealth in Ireland is not great, but if we should ever be capable of developing it we should find ourselves checked at the outset by these exactions of royalties, way-leaves, and dead rents. What we propose is that where the land is sold to the occupier under the Ashbourne Act of 1887, that there these mining rights shall be made public property, just as they are in France, in Belgium, in Spain, I believe in Russia, and certainly in almost every country in Europe, England being a notable exception. England is, I think, the only country where private rights in mines or royalties are granted to the owners of the surface. In Belgium the royalty charged goes to the State, at the rate of a half per cent. on the profits, and if there are no profits there are no royalties, so that the mining industry is free from those onerous leases, and the incubus of dead rents and royalties, such as in Lancashire, for instance, often amount to 2s. 6d. in the £1 on the output, which is enough to crush any mining undertaking except those of the richest kind. From such obstructions mining in Belgium is quite free, and I do not see why we should not take steps to give equal freedom to the industry, should we ever be capable of developing it in Ireland. It may be said, if a tenant purchases his land, why should we take away his chance of acquiring future wealth from the mineral discoveries under the land? To this I say that the purchase is made under the Ashbourne Act by agricultural tenants for purposes of cultivation, and not as a speculation. At a very low rate of interest we advance the purchase money, and possible revenue from mining rights never enters into the calculation. For the present generation there is no expectation of any such revenue, and nobody is injured by a provision which hereafter may become a useful source of income in the hands of the Government, while it will free the mining industry should it ever arise from future trammels. The next question is one of great importance. I have already said that when the Act of 1881 was passed there seems to have been an idea that the whole of the agricultural tenancies of Ireland would have had fair rents fixed in a few months. It was the opinion of some that a couple of years would be required. Nobody anticipated a longer period, and the general opinion was that a few months would suffice for fixing fair rents on the 500,000 agricultural tenancies in Ireland. The realisation of that expectation has been very much postponed. The Act has been in operation for nearly nine years, and we have at this moment cases in Court waiting for hearing to the number of 46,000, and some of these have been before the Court for three years. We, who represent tenant constituencies, are constantly receiving letters from tenants in all parts of Ireland. I receive in my own case, I may say, hundreds of letters, saying—

"Two years ago we filed originating notices, our cases have been on the list all this time, but

we hear nothing about Commissioners being sent down."

It will be quite understood how, under this state of things, there will be big arrears. I need not trouble the House with figures; enough that I refer to the fact that with 46,000 cases awaiting decision, the Commissioners say, "We cannot deal with your cases yet, it is impossible." This great arrear of business would not have arisen had the Land Act contained a provision for arbitration such as we now propose. With this block arises all the evil I have referred to from arrears and evictions, and a considerable amount of this could be removed by the provision here introduced in Section 15. Arbitration, as every lawyer knows, is an expensive method of deciding disputes, and, therefore, I think it is well that the power of arbitration should not be availed of unless at least five tenants of the same landlord concur in seeking this mode of settlement. I know, myself, of instances where some hundred tenants would concur in an application for arbitration if the law allowed them to do so. I want to provide them with means of settlement, and the clause follows the usual arbitration clauses in several Acts of Parliament. If this were adopted there would be a way out of the *impasse* into which matters have drifted. Then I come to a very important matter indeed. There are arrears of 46,000 cases in Court waiting to be heard. Taking the average rate of progress from experience of the operations of the past it will be two or three years before these arrears are disposed of, and originating notices now being served will have to wait that time for decision. We have 7,000 appeals, and at the rate the Court is going on it will take seven years to dispose of these appeals. At the present rate of progress by the Commission, Sub-Commissions, and County Courts, it will be 10 years before all the agricultural rents in Ireland are fixed. In round figures there are 500,000 agricultural tenancies in Ireland, only 340,000 have been decided in one way or other, in or out of Court; 160,000 remain, and besides these 46,000 are now in Court. Now, is this state of things to continue, with all the consequences that flow out of it? Is the war between landlords and tenants to go on for another 10 years? Let the House realise this state of things, and I ask them to do something towards having rents fixed within a reasonable time and introducing a settled state of things, which cannot be while this simmering and seething continues, as the result of the delay in settling cases. Under the Act of 1881 the Land Commissioners have power to appoint any number of Sub-Commissioners and decide cases, but they have exercised that power very sparingly. The number of Sub-Commissioners is only 72, and they have been eight and a half years deciding about 170,000 cases. About 160,000 remain, and eight and a half years or more will pass before these are decided, and then the judicial term of 15 years provided by the Act of 1881 will have expired, and the Commissioners may have to recommence their work. Why not create a sufficient number of Sub-commissioners? They are not difficult to find; I believe I have heard of grocers, ironmongers, and others, who know about as much about land as a cockney sportsman, being appointed to fix fair rents; but, after all, this is better than doing nothing at all. But it would not cost more money if 150 Sub-Commissioners disposed of the work in three years, instead of 70 spending 10 years over it. Therefore, it is that in Section 16 we have a provision that wherever there are cases listed for hearing, to the number of a hundred, then a Sub-Commission shall be appointed to hear these cases. This would make short work of the cases. If there should not be Sub-Commissioners enough then the Land Commission would appoint more, and the aggregate cost would not be more, whether more Commissioners did the work in a shorter time or whether, with fewer officials, the work extended over a longer period. Obviously, it would be an advantage to accelerate the decisions. And now I come to the matter of appeals. Nothing can be more unscientific than the provisions in the Acts of 1881 and 1887 in regard to appeals. One can hardly imagine these provisions were drawn by lawyers, such ignorance of the requirements of the case do they display. We have actually Head Commissioners trying applications for the fixing of fair rents in the first instance, and doing this with actually 7,000 appeal cases staring them in the face. It is a ridiculous pro

vision; it is taking a razor to cut blocks; it is putting a thoroughbred horse to draw a plough. It is a degradation of the functions of the Head Commissioners. It is equally absurd that they should, when the appeals come before them, proceed to try the cases all over again, a work for which they are unfitted. A case in the first instance is tried by a Sub-Commission or a County Court Judge, with the assistance of valuers and witnesses in the county and on the spot. They go on the land and form their judgment, seeing the position of the land, its character, soil, and surroundings. But the Commissioners in Dublin, when they have to hear an appeal, or rather when they have to re-hear a case, for it is not really an appeal, do they go on the land? Nothing of the sort. They cannot do it, and therefore they have to re-hear the case, try it again, upset, alter, or confirm the decision of the Sub-Commissioners or the County Court in the first instance, without having the first elements necessary to put them in possession of the facts and enable them to give an equitable decision. I would keep them to their proper functions as a Court of Appeal in matters of law and procedure. When it comes to a matter of fact, a question of the character of the soil, the situation of a farm—for instance, we all know that the difference of position between the north and the south side of a hill may make a difference of 50 per cent. in the value. I would take out of their reach decisions upon such matters of fact as these, which are matters to be decided by experts in agriculture, not experts in law. I would confine the Commissioners to the functions of a Court of Appeal, such as Judges of the High Court exercise. They do not bring the jury before them and go into the whole case tried by the Judge at Assize, but if they find there may have been a failure of justice in law or procedure, they direct a new trial. Why not do the same in these land cases? Why not relieve the Commissioners from these bogus appeals, brought for no other purpose than delay? Three-fourths of them are brought simply to put off the evil day when the rents will be reduced 30 or 40 per cent. Send the cases back, as cases may be sent back by the Court of Queen's Bench; it will be a speedier and cheaper method of procedure. You may interchange the cases by sending a case from a Sub-Commission for re-trial before the County Court or *vice versâ*. You would soon dispose of the 7,000 appeals, and, more than that, you would discourage the bringing of vexatious appeals, as most of them now are. Upon the provision for the repeal of the 7th section of the Act of 1887, it is necessary to say a few words. Whatever may have been the object this 7th Section was intended to serve, we know the object for which it is used. I have already pointed out that in the warfare that goes on between landlord and tenant, the tenant goes into Court whenever he can under the Act of 1881, and the landlord tries to keep him out of Court by means of the arrears, or tries to break the tenant's title before he can get a decision at all. The result is that tenants find themselves evicted by notices served under this 7th section, and from a Return I see that 7,525 eviction notices were served last year from the County Court and other Courts. This means that these 7,000 tenants are deprived of the benefits of the Acts of 1881 or 1887, or both. The tenant is put back into the position he would have been in had the Acts of 1881 and 1887 never been passed; he is turned into a future tenant or he becomes not a tenant at all but a caretaker. Now, we want to stop these transactions, these ready evictions. If we want to put an end to the present state of things, and to have the relations between landlord and tenant in Ireland settled by equitable adjustment, we must repeal this 7th section of the Act of 1887. I submit this Bill for what it is, an honest, though I fear a poor and weak attempt to effect a solution of some of the difficulties that beset the Government of Ireland and the people of Ireland. I offer the Bill as a solution of the questions I have touched upon, but whether or not it will be accepted in the spirit I offer it, I do not know. One thing is certain, we have had, within the last 30 years, introduced from this side of the House, about as many Land Bills, and "the cry is still they come," that have on their introduction been scouted and voted out, though our remedies have afterwards been adopted. Meet us in a friendly spirit. We have more knowledge than you have on the other side of what will settle difficulties in Ireland. If you adopt this small instalment, with such

modifications in Committee as I know a measure of this kind must undergo before it can pass the House of Commons, it will bring about an improvement in a state of things now become intolerable. If hon. Gentlemen opposite reject it, with them will lie the responsibility.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(2.22.) MR. WEBB (Waterford, W.): I rise, for the first time in this House, with considerable diffidence to second the proposition, but I need not detain the House long as the hon. Member who preceded me has entered so exhaustively into the propositions of the Bill. The measure will afford the Government an opportunity of carrying out its promise with regard to Irish legislation. This Bill is demanded by the majority of the Irish people, and into it no controversial element enters of such a nature as to preclude, even according to the theories of those who oppose Home Rule, the Irish Members alone judging of the matter. There is nothing in the Bill affecting the integrity of the Empire, or raising any question as between Ulster and the rest of Ireland. The representatives by whom the Bill is brought forward, whilst they do not arrogate to themselves the title of being the sole friends of the tenant farmers, are at least those representatives who have always given the initiative to land legislation in Ireland, and whose views are finally accepted, and proved to be for the good of the country. I observe that the Healy Clause in the Land Act of 1881, which was devised for the purpose of protecting the tenants' improvements, has been diverted from its beneficent intention, and a clause in the present Bill is framed for the purpose of putting an end to all doubt on the question, and making it clear that the tenant has a right to his improvements. The Bill also provides that the presumption shall be that the tenants made the improvements. The 3rd clause dealing with the postponement of the creation of future tenancies is a very desirable one. I cannot understand why some leaseholders should have been excluded from the benefits of previous land legislation, and the 7th clause provides that they shall no longer be excluded from such benefits. The question of turbary is a most important one. I have heard of cases where the rights of turbary have been taken into consideration in the fixing of the rent, and when the bog was cut away the rent was continued at the same figure although no further benefit was derived from the turbary. The clause which deals with this subject will set this matter at rest, protect the rights of the tenants, and be fair to all parties. Then, as to the 14th clause it deals with the question of mining rights and royalties, and sets the matter, I consider, on an equitable basis. Whilst on this topic, I wish to express my sympathy, and I am sure that of the Irish people, with the sufferers by the recent deplorable mining accidents in South Wales, and I may add that I am sure any legislation which is brought in with the view of preventing such catastrophes will receive the hearty support of the Irish Representatives. I hold that the various other clauses of the Bill are deserving of support. I cannot bring myself to believe that the Bill will not be passed; but, if it is not, we, at any rate, have the satisfaction of knowing that sooner or later its principles will be accepted.

(2.30.) COLONEL WARING (Down, N.): The light that has been thrown upon the Bill by the hon. Member who has just sat down is quite as vivid as might have been anticipated from his antecedent opportunities of judging of the Land Question. But one thing he has said will be endorsed by Members on both sides, and that is his expressions of sympathy with the sufferers by the late accident in Wales. When I came to the House with the intention of moving the rejection of the Bill, I expected to find the soil prepared in the usual manner for the reception of the seed. I expected to see it ploughed by depreciation of the Land Act, harrowed by scenes from Irish evictions, mostly the creation of the brains of hon. Gentlemen opposite, and crushed and pulverised into a proper seed-bed by denunciation of villainous landlords. And if the result is but a poor crop, hon. Gentlemen opposite will have only themselves to blame. To my great surprise these usual operations were very mildly indulged in. The hon. Member for South Roscommon (Dr. Commins), who moved the Second Reading of the Bill, has undoubtedly great opportunities of judging of the Irish Land Question, because he has

studied it for 30 years at least from the opposite side of the Channel, and we all know that distance lends enchantment to the view, and upon the Land Question my experience is that Members who propose to deal with it express their confidence in an inverse ratio to their knowledge of the subject. I wish to say just one or two words, before I come to deal with the question of the Bill itself, on the remarks of the hon. Member who introduced it. In the first place, there was a rather curious distinction drawn as to the meaning of the words rack-renting. I could very well understand such a definition coming from very many Members on the opposite Benches; but coming from a lawyer of 30 years' standing the words used are, as I say, rather curious, because the hon. Member's definition of a rack-renting landlord is that he is a landlord who allows his tenants to get 10 years into arrear. That strikes me as a definition which is new, and which probably will be new to many of our English friends. Now, as to the question of improvements, I do not think I shall deal with that under the head of the hon. Member's speech, because I intend to go through the clauses later on. But I think he has rather misrepresented the decision in "Adams *v.* Dunseath," because that decision was by no means destructive of the tenant's right to claim exemption for his own improvements from the fixing of a future rent. As to the future tenancies, he urged that the term at which future tenancies should commence ought to be postponed, because the success of the Land Act of 1881, in inducing tenants to take advantage of it and to get their rents thereby fixed for 15 years, was not what was expected by its promoters, and that it had not fulfilled their expectations. But that was not so. It was the Land League and hon. Gentlemen opposite, who are its organisers, who were the cause of that failure, for when the League did not hold sway the tenants eagerly availed themselves of those opportunities that were given by the Legislature, but when the League did hold sway they drew back because they were told that they should stand by their own organisation, and all that sort of thing. I think it is rather hard to attribute a fault to legislation when that fault was produced by hon. Gentlemen themselves. We are told that the term of 15 years is too long, and that seven years is to be the term. You have got the term of seven years in England in your tithe rent averages. But no one appears to be satisfied with that. It seems to me that you must either have a fixed term, which will be long enough to cover the average of good and bad seasons, and which will give a fair chance to those interested in both sides of the question, or you must have an annual valuation or rent fixed from the prices of produce. We have heard a great deal about the question of arrears, and I am not altogether clear that some legislation on the subject of arrears would not be desirable. I would not be opposed to seeing other men obliged to do what I am willing to do myself. Accordingly, I think there might be a well-constructed Bill introduced dealing with the question of arrears; but the subject is one which is beset by enormous difficulties, because you have not only to consider the tenant in arrears but the position of the landlord—you have to consider the case of the man's next door neighbour who has honestly and fairly paid his rent. When the landlord finds he has a tenant whose arrears he knows have arisen from drunkenness, or a disinclination to work, or from other causes, he is certainly driven to the conclusion that it is a very hard case that the tenant who has always kept on the right side of the books should be placed in a worse position then his idle and dissolute neighbour. That is the chief difficulty that has confronted many Irish landlords, who have felt themselves debarred from forgiving arrears all round, because they do not see their way to treating the idle and dissolute tenant in the same way as the deserving one. As to the hanging gale, I did not know that that was considered arrears at all. It always was there, no doubt, but no landlord expected to get it in. It has been assumed that arrears prevented tenants from going into the Land Courts, but that was dealt with by the Act of 1882. 129,000 holdings were dealt with under that Act, and a large amount of public money was stolen from the ecclesiastical objects to which it was originally dedicated, and not applied to other ecclesiastical objects—for if it had been so I could have well understood the sympathy hon. Gentlemen opposite would have taken in the movement. There was converted to purely secular purposes £706,019 3s. 11d. That sum was

abstracted from its original purpose and applied to the mitigation of the debts of the tenants. And what was the remark made in the Report of Mr. Richard Burke, the Commissioner appointed to deal with that question? He said that a very large number of extremely poor tenants had been relieved from an accumulation of rent which would otherwise probably have led to the loss of their holdings. It cannot, therefore, be said that the question of arrears has not been dealt with, and I think it cannot be fairly or rightly said that the existence of arrears has to any large extent prevented the tenants from taking advantage of the Land Act of 1881. We know that in some cases tenants have been sold out for debts owing to local bankers, and the tenancies renewed by those ingenious gentlemen by a process which is not available to the Irish landlord, and in a way that puts the tenant out of the protection of the Land Act. When I see an honest desire shown to deal with such a violation of existing legislation as that I shall believe that hon. Gentlemen opposite are just and honest in their wish to improve the position of Irish tenants. But until then I shall continue to hold my present opinions. It is proposed to relieve the congestion in the Land Courts by opening those Courts to everyone who has not got his rent settled; but how that is to remove the block is a mystery to me. I think the point made that landlords indulge in appeals in order to put off the evil day on which the reduced rent commences falls to the ground, because the hon. Member for Roscommon knows, as a lawyer, that the reduced rent commences from the date of the service of the application. I want now to give a few reasons why, in my judgment, the Bill should not be read a second time. Those bad times, which we are happily beginning to see coming to a close, have not affected the Irish farmers in one-tenth degree as they have affected the English farmer. The produce of England, as a whole, is largely cereal, while the produce of Ireland is largely cattle. It is perfectly manifest that the Almighty intended Ireland for a cattle-raising country, and up to the Napoleonic wars it was a cattle-raising country. But the Irish landlord has never interfered with his tenant putting what crops he liked into his land; and statistics show the proportion the questions of cereal and cattle-raising bear to each other in this discussion. In England the average of the corn crops to the total cultivation is 25·2; in Scotland 27·1; while in Ireland it is 10·1 of all cereal crops. The falling off in the growth of wheat has been the greatest; next comes barley, while the decline in the growth of oats is comparatively unimportant. In England the percentage af wheat is 9·4; barley 7·1; oats 6·5; but in Ireland the percentage of wheat is 0·6; barley 0·2; and oats, 8·8; so that the growth of wheat in Ireland is a little over ½ per cent. of the total cereals. As to cattle the change is the other way. In Ireland the value of two-year-old cattle in 1850 is put down as £9, whereas the value of the same cattle in 1875 was £12, and in 1885 instead of finding a fall, such as we had in cereals, of cent. per cent. we find the value of the same cattle had actually risen to £13. The value of cattle at the present day is equal to what it has ever been at any time. I do not think there was ever an occasion when cattle paid better from the Irish point of view. We are rearing the young cattle, and we are making John Bull pay through the nose for it. He has got to turn it into beef, and he does not find that quite so profitable a transaction. What does the English farmer say about it? He grumbles and complains, but he is going on with the greatest possible patience. He does not come whining and howling to this House for legislative assistance. He puts his own shoulder to the wheel, and, to a very large extent, in this year of grace 1890, he has got his waggon out of the mud. I do not like to go into personal questions, but I will give you shortly the result of my own experience. I am farming at present 468 statute acres, and last year's clear profit, after payment of all expenses and of interest on the capital employed, was £1,258 9s. 11d. The details are entirely at the service of hon. Gentlemen opposite.

MR. MAHONY: Who paid the rent?

COLONEL WARING: I am just coming to that. I ask the hon. Member, who has experience in that, what he thinks is a fair rent for good pasture land in Ulster?

MR. MAHONY: I never saw any.

COLONEL WARING: That is a misfortune. I do not find any land in my

neighbourhood is valued at more than £1 or 21s. a statute acre.

MR. MAHONY: I thought the hon. and gallant Gentleman said pasture land, and I remarked I had never seen any good pasture land in Ulster.

COLONEL WARING: I am glad of the interruption, because it very much strengthens my argument. Is 21s. an acre a fair rent to charge on average Ulster land? [An hon. MEMBER: Too much.] Then I am charging myself with that. Twenty-one shillings an acre comes to £481 8s., so that the profit amounts to £777 1s. 11d. That is not a bad return for a capital of £2,000 or £3,000. I should like to know the business in which the same money can be made, and I will go into it to-morrow. Now, we have had a great deal of talk about ancient history, but an ancestor of mine in the year 1669 valued a sheep at 5s., and that same ancestor let 41 acres of land to one John Dawson for 999 years at a rent of £10 5s.; consequently the value of an acre of land in that portion of the County Down was equal to that of a sheep. In the year 1890 he would be glad to say to his tenants, "Give me my sheep and you shall have your acre." A lease of land was taken for the Marquess of Donegall—or Earl of Donegall I think the title then was. Five or six shillings an acre would be about the price of Irish land, and if that was at one time represented by a sheep, 35s. an acre will now be represented by a good fat sheep. I do not want to weary the House by going into the question of tenant-right, which has been so frequently dealt with before. We are all aware—I do not think that hon. Gentlemen opposite will deny—that the tenant right in many parts of Ireland frequently exceeds the value that remains to the landlord. I will give one or two instances in which I am able to vouch for the accuracy of the figures. The tenant-right in one of my own farms, the rent of which was £6 10s. a year, was sold for £315, or 48½ years' purchase. Does that look as if Irish farming has become unprofitable? The average value of tenant-right estates about me has been £12 per statute acre, having been settled by arbitration over and over again. Only the other day there was a sale in the immediate neighbourhood, and the price realised, instead of being £12 10s., was £33 an acre. Yet recently rents have been reduced on my own property—not by the Land Commission, because when I am about to suffer a painful operation I like the operation to be performed by a friendly hand, and when there is rent to be taken off I take it off myself. I have reduced it on one of my own farms from £20 5s. to £15. In an adjoining county a certain farm was let at £120 a year; the Commissioners reduced the rent to £75; the tenant, though only paying a rent of £75, found the temptation to realise too great, and making up his mind to settle in another country, he sold. The landlord succeeded in getting somebody to purchase for him, and he bought the land rented at £75 for £1,000. He did not hold it very long, and as a matter of fact it is now let to a solvent tenant for £170, returning him 5 per cent. on his £1,000, and his old unreduced rent. I leave the House to judge whether in this case the tenant who sold had not been treated fairly, and whether the landlord had rack-rented him. There is another case coming from the same neighbourhood. A landowner let a farm to his land steward at £93 a year. The land steward failed, and the owner had to take the property into his own hands. He cultivated it until his death, when it went into Chancery. The Court ordered tenders to be advertised for, which was done. In the meantime the Land Commissioners had been at work in the neighbourhood, and had made reductions which, on a proportionate scale, would have reduced the rent on this land—which had previously been £93—to £65. Well, in answer to the advertisements, tenders were received ranging from the original £93 to £107. The Court did not accept the highest offer, but took one which was moderate, namely, £95. The land is now held by a "future tenant" who cannot go into the Land Court—at least at present—and who cannot have his rent reduced unless the landlord in the first instance sees fit to raise it. There is another thing which proves the value of land, and that is sub-letting—a system which is largely practised, as all landlords know, and as hon. Gentlemen opposite know, if they thought it prudent to confess it. I have a farm of 22 acres, the rent of which is £23 a year. [An hon. MEMBER: Too much.] "Too much" says an hon. Member. Let him listen to this: My

tenant is an excellent one, and I have no complaint to offer as to his doing the best he can with the land. He has sub-let five acres of the 22 to a neighbour—for what? Why for £14 a year, or nearly three times the rent he is paying me. You may say "But there are buildings and improvements on the land." Nothing of the kind. There is not a stick nor a stone on it. My tenant has sub-let a large portion of the worst part of his farm, and the sub-tenant had to drain it before he could make use of it. [An hon. MEMBER: Give us the name of the tenant.] Certainly; his name is Mackenzie, and Kelly is the sub-tenant. Much has been heard of the fall in prices, but not of the rise in prices. Between 1850 and 1875 the rise was 85 per cent.; between 1875 and 1887 the fall was 41 per cent. Any one who tells me that the rents are rack rents, as the right hon. Gentleman the Member for Mid Lothian did the other day, simply because the Sub-Commissioners have thought it right to reduce rents in view of the fall in prices between the middle and the latter period I have mentioned is, I think, very much misrepresenting and distorting the real bearing of the question. Now, Sir, as I have already taken up a large amount of time, I will hurry through the clauses of the Bill. The 1st clause deals with improvements, and asks us to hand over to the tenant the whole benefit of the increased letting value of his holding. This claim seems plausible, and may commend itself to farmers in England who have not looked the question in the face, but it must be borne in mind that a tenant, by a very small expenditure—by putting up a few yards of rail at a cost of £5—might increase the value of 6 or 8 acres of land to such an extent as to increase the letting value £5 a year. It is madness to say, because a tenant, by the merest accident, gets hold of a piece of land capable of such improvement, that he is entitled to the whole of the increased letting value. He is entitled to the £5 he has expended, and no honest landlord would refuse it to him. I do not think that even what hon. Gentlemen call the "felonious landlord" would refuse to allow his tenant this £5 compensation, but I think it would be quite fair for him to rebel against paying £200 for this £5 improvement, which would be the capitalised value of the improvement. How about the other side of the question? Suppose the tenant allows the land to deteriorate, is he to compensate the landlord for the deterioration? You may say "Yes," but where is the landlord to get his compensation from? When a tenant goes out of a farm which has deteriorated it is a matter of "get your compensation if you can!" With regard to express contracts, you have drawn a very arbitrary line between ancient and modern history. The presumption in respect of improvements executed within a period of 50 years prior to the passing of the Act is placed so far back as to make it unlikely that any record of succession will be forthcoming. On a matter of this kind I am not satisfied to rely upon the recollection of the Irish tenant, and even landlords cannot be trusted to recollect certain circumstances affecting their property over a period of 50 years. They were not in the habit 50 years ago of keeping the records they do now. Then as to the postponement of the creation of future tenancies, I would submit that this provision in the Bill really amounts to what may be described as increasing a sentence on appeal. That is a thing said to be unknown to English Law. It is as though a sentence of 15 years' penal servitude were appealed against and a life sentence pronounced in lieu of it. I would ask any hon. Member opposite of actuarial knowledge whether this clause would be a fair alteration of the Land Act. The 4th clause deals with the shortening of the period for which judicial leases are to run. I can understand that clause. It is one in the interest neither of the landlord nor tenant, but one very largely in the interest of hon. Members opposite. It is a clause very largely indeed in the interest of local solicitors, and very largely in the interest of the local banker, who advances money for costs. It is very largely in the interest of those unfortunate gentlemen who are misfits, and who, having been unable hitherto to find profitable employment, hope to be made Sub-Commissioners in the future. It will plunge the whole country into fresh litigation and fresh turmoil, and it will cause the money of the tax-payers, not of Ireland alone, but of England also, to be expended on an overgrown staff of officials, whose object will be to keep the

shop open and customers going to it, by supplying attractive goods, or, in other words, giving large reductions. The 5th clause is a new one, and deals in a sort of tentative way with arrears. I am not adverse to the passage of fair legislation in regard to arrears, with the object of obliging bad landlords to do that which good landlords would willingly do themselves, but I cannot at present see my way out of the difficulties which surround the question, and I cannot think that even if this clause were drafted with the greatest possible skill and care, it would be a sufficient reason for reading the Bill a second time. The 6th clause deals with the question of eviction, or removal of tenants. I do not know exactly what is meant by this clause, and I think that the occurrence of those eviction scenes we hear so much of ought to make us extremely cautious how we think of repealing Section 7 of the Act. With regard to the question of long leases, they are practically purchases, which are practically speculations. If a man buys stocks or shares, and there is a fall in their value he has to suffer for it, and I do not see why a man who speculates in land should be placed in a more favourable position. If compulsion has been used to induce the tenant to take the lease, your remedy already exists, because you can have the lease broken to-morrow. So far as I am able to gather, the Land Courts at present have ample power to deal with turbary. If they have not such power, I have no objection whatever to its being conferred on them. As to the Seaweed Clause, it appears to me that you will raise a very serious question indeed if you make the seaweed free within a mile of the shore. The Gulf Stream would not wash away the blood that would be shed with bludgeons and pitchforks and all kinds of weapons over this flotsam and jetsam of the sea. I do not know what the views of my constituents are on the subject. It may be that they would prefer to fight for it. If they choose to have the question settled at the point of the pitchfork rather than by the landlord's decision, I am quite ready to vote for the clause. With regard to the proposal to establish a Court of Arbitration, it is one which is, no doubt, likely to catch the votes of the agricultural Members. Arbitration, on the face of it, is a very fair thing. But what are the Irish Land Courts at the present moment? They are Courts of Arbitration, and the proposal, therefore, is to go over the same process again. One party says I demand so much, the other says I am only willing to give so much, and arbitration means splitting the difference. You may go on splitting the difference too often. I object to arbitration, because I say that, however fair it seems, it is really specious humbug. As to the question of appeal, I do not mean to appeal against the decisions of the Land Courts, and I do not know whether many of my friends do either. I think we have had enough of it. Under Section 19 it appears that if it can be proved that the tenant or his predecessor in title has laid down grazing land at his own expense he is not to get his rent fixed. But who is to prove that he did not first break up the land and then proceed to lay it down? The landlord may not remember anything about it, and the tenant will be able to get sufficient witnesses to carry him back to the deluge if he desires. I hold, Sir, that this Bill is an attempt to effect by Constitutional means that which has been attempted by un-Constitutional means by persons acting in the same interest as hon. Members opposite. The object is to banish from Ireland what hon. Members opposite are pleased to call "the English garrison." As a matter of fact, this Bill, if put in force, would do it in about 14 years. Well, Sir, I think the landlords of Ireland will continue to exist for more than another 14 years. I beg to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel Waring.*)

Question proposed, "That the word 'now' stand part of the Question."

(3.39.) MR. MACARTNEY (Antrim, S.): I beg to second the Amendment, and in doing so I wish to compliment the hon. and learned Gentleman opposite on the way in which he introduced this Bill to the attention of the House. We have not been accustomed in previous years to the moderate language in which he enforced his arguments to the House. As far, however, as I could gather from his remarks, he did not himself

profess to be an expert in Irish agriculture. He viewed the Bill from a lawyer's point of view, and the principal remark he made about it was that it was an extremely badly drafted Bill. I wish to say one or two words on some of the clauses of the Bill. I quite admit that turbary is a matter of great importance to Irish tenants who have no other means of finding fuel for their support. But I altogether dissent from the opinion expressed by an hon. Member opposite, that under the present system the Courts have no adequate means of dealing with turbary. I do not say there are not instances in which the Commission Courts have experienced difficulty in dealing with cases of turbary; but I believe that the principles which are now generally acted on by the Sub-Commission Courts generally meet all the cases of turbary which come before them. The principle on which the Courts act is this. The landlord either denies the tenant's right to turbary, and proves he is entitled to do so, in which case the question of turbary is not considered in fixing the judicial rent, or the landlord denies the right, but consents to its being enjoyed by the tenant during the judicial tenancy, or the tenant proves his right to have the question considered by the Sub-Commissioners. I cannot see that, generally speaking, there is any great want of justice or equity in the proceedings before the Court on the question of turbary. I have looked at the clauses of the Bill, and I do not think they are drafted in such a way as to make clear the action of the Court. The principles of the Court are now well ascertained, and the result of this Bill will be to involve the question in still greater confusion than exists at the present moment. The hon. and learned Member who moved the Second Reading of the Bill dwelt at the close of his speech on the question of evictions, and referred to the number of tenants in Ireland who during the last year have had their tenancies determined under the Act of 1887. But it must not be forgotten that the actual evictions in Ireland bear no proportion to the actual number of tenancies determined. Last year the actual numbers of evictions did not amount to more than one for every 450 tenancies in Ireland. When we see the attempts made during the last year to take a course of action which must result in the serving of notices on them, we cannot but think that the number of actual evictions which took place is not a number which ought to alarm this House or the country. As to the Bill as a whole, its introduction does not seem to me to be justified unless hon. Members can prove that the Land Courts do not provide fair rents in Ireland. The number of judicial rents fixed up to the end of last year was 223,607, and there were 9,000 cases settled out of Court. We find that whereas during the eight years the reductions effected by the Land Courts averaged 20·3 per cent, the reductions agreed upon between the landlords and tenants were only 17·4. Whenever cases are settled out of Court we find that the reductions agreed upon are less than those granted by the Court. The statistics, therefore, prove that the reductions made by the Courts have been substantially and sufficiently fair. That being so, I cannot conceive why year after year the time of the House of Commons should be taken up in the discussion of practically the same Bill as we have had before us for three years past. The clause relating to improvements absolutely sweeps away the provision made by the Act of 1881 construing the Act of 1870. What is the history of that provision? The Bessborough Commission reported on this question, and they pointed out that, in their opinion, no allowance ought to be given, except for improvements, which were actually doing good to the farm, and being enjoyed by the tenants. I understand that it is the practice of the Land Commission Courts to take that view; and that, in practice, the very highest possible benefit is given to the tenants for improvements, which have not been exhausted. With regard to the statutory term, the Bessborough Commission recommended that it should be 31 years. The Act of 1881 cut down the period to 15 years. Hon. Members opposite will say that the Cowper Commission recommended that the term should be reduced; but on what authority did they do that? The Commissioners gave the names of eight gentlemen. I suppose they picked out the best evidence they could get to support their view, and I have gone through the evidence of the eight gentlemen upon whom the Commissioners

relied. I find that only one, and he was not an agricultural expert—he was an Alderman, and the only acquaintance he had with land was that he had been some sort of a manager of Corporation property in Ireland—only one advocated a seven years' term. The evidence of the other gentlemen was opposed to a seven years' term, and, if anything, in support of an annual revision of rent upon a sliding scale. The Cowper Commission had really no evidence upon which they could base their proposal to upset the 15 years' term; and hon. Members opposite will find great difficulty in finding any expert, either landlord, land agent, or tenant farmer, who is prepared to say that, in his judgment, a seven years' term is better than a 15 years'. I am perfectly certain of this: that if the House were to consent this year to the period being shortened to seven years, next year a Bill will be brought in to shorten the term to three years; indeed, I cannot conceive that any argument can be adduced in favour of seven years, which could not with equal propriety be adduced in favour of three years. I do not say that 15 years is the most perfect term; but I believe it is as good a term as we could possibly fix. Everybody who has any practical acquaintance with agriculture knows that we cannot fix a definite term of years which will meet all the casualties and all the ups and downs which must affect the agricultural interest. Therefore, I cannot believe hon. Members are serious in proposing to reduce the term from 15 to seven years. I could imagine that, from the point of view of the professional agitator, some one might say, "Oh, let us reduce the term, because it will give us a cry to go to the country with; let us reduce the term to seven years, and try next year to reduce it to three. At all events, we shall create a grievance amongst a certain section of farmers." The hon. and learned Gentleman who moved the Second Reading of the Bill said that one of the great evils of Ireland is the hanging gale. I agree with the hon. Member, and if it could be abolished I would be delighted. But is any hon. Member opposite prepared to state that the tenants on any single estate are prepared to agree to the abolition of the hanging gale? Do they not know that it is the tenants who have always insisted on the hanging gale as their customary right? To my knowledge any landlord who has proposed to get rid of it has always been looked upon as an unpopular landlord. The hon. and learned Member also made a rather indefinite complaint as to leaseholders in Ireland. He went back to the last century. It is perfectly well known that the leasehold tenants in Ireland are, numerically, far inferior to the yearly tenants, and I ask the hon. and learned Member whether he is able to point to a single case in which a tenant holding under a lease has been deprived of his holding as long as he paid the rent? With regard to the last portion of the Bill—that relating to royalties—I cannot understand why it has been introduced in a Bill to amend the Land Act. The law as to royalties may be bad, but it is the law which applies to England, Scotland, and Wales, as well as Ireland; and if hon. Members are anxious to take the sense of the House upon it as it now stands, they should not attempt to introduce it in a measure like this, which really has a totally different object in view. A great deal of public attention has been drawn to the question, but I doubt whether hon. Members are able to find any case of illegal action by landlords with regard to royalties. Besides, if any landlord on the sea coast invokes rights which he has no power to invoke, it is the simplest thing in the world for a tenant, or the organisation which makes itself the tenants' champion, to proceed against him at small cost by way of injunction. I am quite content to leave the Bill to the judgment of the House, especially after the critical examination it has received at the hands of my hon. and gallant Friend (Colonel Waring). I venture to assert that hon. Gentlemen opposite will find it impossible to justify the Bill, either on the ground of the inadequacy of the Land Courts to make adjustments of rent in Ireland or upon the particular state of the agricultural interest during the last year and a half, because it is well known to everybody in Ireland that there has not been a better year for agriculture for nearly 20 years than the last. Statistics show that to be the case; and that, though there is a slight diminution in the acreage of crops, yet the produce has increased. Though we may differ as to the action of the Judical Rent Courts and the position the Irish tenants

occupy in those Courts and outside, still, I venture to say that no hon. Member who has intimate acquaintance with tenants will deny that last year was a most profitable one. I second my hon. and gallant Friend in the proposal for the rejection of the Bill.

(4.0.) MR. CLANCY (Dublin Co., N.): The hon. Gentleman who has just sat down has referred to the Bill as one of the hardy annual series; but, for my part, I should have thought that, when it becomes a practice to bring in Bills upon Irish Questions year by year with the consent of the whole Irish Party, and these Bills are continually rejected, that proceeding in itself affords a strong argument for remitting to an Irish Legislature the settlement of questions of this kind. The hon. Gentleman has referred to many matters with which the clauses of this Bill deal, and amongst other things he spoke against the Turbary Clause. This I thought somewhat extraordinary, inasmuch as he is himself connected with the Party which has introduced a Turbary Bill. I do not know whether he is the parent of the Bill; but, at all events, he has backed it, and now he comes forward and delivers a speech against clauses that carry out the object of his own Bill. There are parts of Ulster in which the hon. Member poses as the friend of the tenants, though I do not know that the tenants have any benefit from that, and in the character of tenants' friend the hon. Member supports a Bill for the real or imaginary settlement of this question of turbary; but when we propose clauses in a Bill for the same object, the hon. Member singles these out for special opposition.

MR. MACARTNEY: I am not aware that my name is on the back of any Turbary Bill in this or last Session.

MR. CLANCY: I did not say in this or last Session. Does the hon. Member deny that he ever had anything to do with a Turbary Bill?

MR. MACARTNEY: If I had I do not recollect any clauses of this kind. I do not recollect putting my name on such a Bill.

MR. CLANCY: Then are we to understand that the Bill in relation to turbary introduced on the other side has not the hon. Gentleman's support; that he separates himself from the so-called friends of the tenants on the other side, and on this matter poses as a landlord pure and simple?

MR. MACARTNEY: The hon. Member is not entitled to assume anything whatever as to my position.

MR. CLANCY: I think I am entitled to draw my own inference from the facts, and this seems to me the only logical inference. The hon. Gentleman has repeated the arguments used last year to the effect that the reductions granted out of Court were smaller than those granted in Court. Now, I should have thought these arguments had been blown to the winds long ago. Amongst others who have dissipated the fallacy there is the Archbishop of Dublin, whose very able article the hon. Gentleman must have seen, because he quoted from it last year here. It is useless to waste time in refuting the statement that in the settlements out of Court landlords and tenants concurred. These are the cases in which the tenant is weak and lacks the means to carry on the contest and is ready to submit to any settlement rather than be turned out of his holding. Even the hon. Member for South Tyrone, who professes to know the truth of these matters, will not deny this. It is also said by the hon. Gentleman that reductions in Court have been fair and reasonable; but may I call attention to the fact that there have been recently, all over Ireland, meetings held at which great dissatisfaction has been expressed at the decisions of Sub-Commissioners, and there have been such meetings among the Down farmers in the constituency the hon. Gentleman represents? If he reads the Belfast newspapers the hon. Gentleman cannot doubt this. The hon. Gentleman said he wanted some fresh arguments in favour of the Bill; those we had advanced, he said, were old. I will supply him with one fresh argument, at least, in relation to one clause—the long leaseholders' clause—and it will be of personal interest to him, inasmuch as it is illustrated by reference to an estate owned by his own father. I understand that the hon. Gentleman's father owns, as middleman, an estate near Belfast; and I invite the attention of the House to the treatment of the tenants on that property, which I think will be conceded by the House to be a good argument in favour of admitting every leaseholder in Ireland to the benefits of the Land Act of 1881. The

hon. Member's father in 1866 became possessed, as middleman, of this estate. He paid no fine, and expended no money on improvements, which, in fact, have all been made by the tenants. The relations between the landlord and tenants were excellent up to 1878; the landlord went down once a year to collect his rents, there was a very pleasant audit, and liquids and solids in plenty at Green's Hotel, Randalstown. Things went beautifully, and the tenants considered themselves fortunate. They were somewhat in the position of the lady in Dickens's novel—

"'Mr. Pickwick,' said Mrs. Bardell, 'is a man of honour; Mr. Pickwick is a man of his word; Mr. Pickwick is no deceiver.'"

Still the widow was deceived, and her son had to lament the loss of his "alleytors" and "commonys," and these tenants had to forego all these good things and found their position suddenly changed in 1878.

MR. MACARTNEY: I am sorry to interrupt the hon. Member, but with the exception of the fact that my father owns this property, holding it on a fee-farm rent of a peppercorn from the Marquess of Donegal, everything else which the hon. Member states is incorrect. The whole case was brought before this House in 1874, and the case made against my father was proved to be incorrect and a most unjustifiable attack upon him. The tenants took out of their own free will fee-farm grants, which gave them full property in minerals, building land, and everything. They took them out at their own desire.

MR. CLANCY: I must protest against this interruption.

MR. MACARTNEY: I am sorry to interrupt at an inconvenient moment, but I thought I should save time by doing so; and, besides, I have to leave shortly to catch a train.

MR. CLANCY: I respectfully submit that the hon. Gentleman is not entitled to interrupt me in the middle of my speech.

*MR. SPEAKER: The hon. Member is entitled to make a personal explanation.

MR. CLANCY: But I respectfully submit the time for that is when I have made my statement, not before I have made it. I have not stated a single one of the facts, every one of which I consider has relation to these clauses dealing with leaseholders. I do not think the hon. Member's hurry to catch a train justifies the interruption. The estate to which I was alluding is situated three miles from Belfast, and its position may be estimated from the fact of its being 1,272 feet above sea level; and I mention this to show that the tenants derive no advantage from the contiguity of the estate to Belfast, with which some means of communication are extremely limited. As a matter of fact, the holdings are so poor that the tenants have to make their living mainly out of employment obtained in Belfast. These tenants in 1878 were asked to secure themselves for ever from bad treatment at the hands of any future landlord, the hon. Member's father intimating, I believe—I am not sure of the fact, but so I am informed—that he was about to sell the property, and his successor was unknown.

MR. MACARTNEY: I am sorry again to interrupt the hon. Member, but that is not correct.

MR. CLANCY: I accept the hon. Member's contradiction; but, of course, I may be permitted to make my own statement, and unless upon a point of order I claim that I am entitled to proceed free from further interruptions. My statement is that this gentleman, having told his tenants that he was about to sell, and that his successor might not be a man like himself, invited them to secure immunity from bad treatment for ever by taking out certain leases. The hon. Gentleman has said that it was of their own free will. [MR. MACARTNEY: Hear, hear.] But this was before the Land Act of 1881, when it was in the power of any landlord to screw up the rents to any pitch he liked and put the tenants out without compensation. In these circumstances, to pretend that any tenants agreed to the leases of their own free will is humbug.

MR. MACARTNEY: I am sorry to have to interrupt the hon. Member.

MR. CLANCY: I cannot submit to these interruptions——

*MR. SPEAKER: Order, order! When a statement is made affecting the conduct of a near relative of an hon. Member, an explanatory interruption is allowable.

MR. MACARTNEY: The hon. Member is again misleading the House. The tenants even at that time had ample compensation; they had the unlimited Ulster right on the estate. No tenant had been removed by the landlord within

the memory of man, nor has any tenant been so treated since.

MR. CLANCY: This explanation would have come more properly after I had finished, but I do not wish to stand between the House and the hon. Gentleman in the vindication of his father. I hope the hon. Gentleman will be allowed the opportunity of making out whatever case he can for his relative. I can only put the statement as it is furnished to me on what I believe to be of good authority, and I feel bound to go through with it. The tenants were induced to enter into these bargains. I may say they are all loyal tenants, all Protestants.

MR. MACARTNEY: No; not all.

MR. CLANCY: Nearly all Protestants, and a good many of them Orangemen. They are all too loyal to adopt the Plan of Campaign. All they do is to beat a big drum on the 12th of July; but, somehow, beating a big drum does not pull down rack-rents or enable tenants to keep out of bad leases. The tenants entered into these covenants; and, in the first place, the cost of conveyances was borne entirely by these comparatively poor, and in many cases absolutely poor, tenants. Even the heavy Stamp Duty on fee-farm grants was borne by the tenants. In the next place, I shall have to call attention to some of these covenants. The hon. Gentleman was rich upon covenants in the course of his remarks. I have here a copy of a covenant I should like to lay upon the Table. It is one of the covenants in question, and I will give the House some of its items. This is the covenant with William McBride, dated May, 1878, when, as I have said, tenants had no Land Act for their protection, and when even on estates protected by the Ulster custom evictions had taken place for non-payment of unjust rents, and when evictions might take place at any time, and rents might be raised at any time, notwithstanding the Ulster custom. The answer that the Ulster custom prevailed is nonsense. It was the complaint in Ulster that the custom did not afford protection, and the result of the action of the Land Commission has shown that the Land Act was required in Ulster as much as in any other part of Ireland. The custom gave no protection to the tenant until he was leaving. But let me read some of these covenants.

MR. MACARTNEY: From what is the hon. Gentleman reading—a lease or a fee-farm grant?

MR. CLANCY: From one of the covenants I have already sufficiently described.

MR. MACARTNEY: Yes, but which is it?

MR. CLANCY: No matter what the document is, the covenants are the same in fee-farm grant, or lease, and most oppressive. I ask the House to listen to some of them. All trees and timber are reserved out of the grants, with the exception of those trees secured to the tenant by Act of Parliament. Those are the trees tenants may have registered, but we know very well how little trouble tenants in Ireland have taken in the way of registering improvements; the thing is not done in any part of Ireland. Practically, all trees and timber are taken away. Next are reserved all minerals, quarries, turf, bog, and turbary, save so much as is sufficient for consumption on the premises. Then we find that over and above the unjust rent each tenant is to pay there is a condition that he shall pay an annual rent of 20s. for every acre of land—some with corn—beyond the amount secured by covenant. Now, such a restriction upon agriculture as that would be set aside by any Court in England. It is an iniquitous provision, and in all legislation I trust that careful watch may prevent anything of the kind in future. Then we find that over and above these two rents, the tenant covenants to pay 10s. sterling at or upon the death of the said John Ellison Macartney—that is, the the hon. Member's father—and of every other chief tenant seized or possessed of the rents of the said lands and hereditaments. I believe this covenant is copied from one by a southern landlord who delighted in giving his tenants this sort of lease; and he used to tell them it gave them an interest in the prolongation of their landlord's life, and they would be less likely to make a target of him when a successful shot would be to their disadvantage. Well, but Colonel Macartney was in no danger of being shot, and indeed he never visited the property, or very rarely. The only parallel which I can think of to this arrangement on the Macartney estate in Antrim is that afforded by the circumstances that attend

the death of a King in certain parts of Africa. There, on a King's death, there is a holocaust of his subjects, the idea being that a certain number of his friends should accompany his spirit to Hades. There is the usual covenant for distress, and there is further provision that if there is not sufficient stock to cover the cost, the landlord may, when the rent is 21 days in arrear, enter upon the holding and put an end to the whole contract. In the case of McBride there are several special covenants, and one is in regard to the planting of trees. The tenant is required to plant and preserve oak, ash, and elm trees along ditches and walls, at distances of 20 feet, and to preserve these from cattle, and to plant others when the trees decay or are destroyed. There is a further provision requiring him to pay a shilling a year for every tree not so planted. And, after all, the trees are the property of Colonel Macartney. Sir, I think, with a record like this of an estate in his family, the hon. Member might have said less about the audacity of my hon. Friend the Member for Roscommon. Now, let me give some of the figures in reference to the rents on this estate. R. Tate holds 21 acres on the side of this bleak mountain, 1,272 feet above sea level, where any fertility is due to the tenant's industry. The old rent was £23, the valuation £22 10s., and the new rent fixed in 1878, when the tenants were induced to take fee-farm grants was £63 —nearly trebled. R. Clayton holds 20 acres; old rent £15, new rent £25. Daniel Partington holds 14 acres 3 roods. He was a yearly tenant until 1878, when he entered into a covenant, and his old rent was £16. It will be understood the rents on the estate were imposed on the tenants at the time they entered into these bargains, when leases were forced upon them. I have here a list of cases in which in 1878 the rents on this estate were increased. In the first the old rent was £16, the Poor Law valuation £18 10s., and the new rent £25; in the next case the old rent was £36, the Poor Law valuation £25, and the new rent £60; in the third case the rent was increased from £39 to £78; in the fourth the old rent was £36, the Poor Law valuation £38, and the new rent £52; in the next the old rent was £154, the Poor Law valuation £189, and the new rent £250; in the next the old rent was £124, the Poor Law valuation £130, and the new rent £200, although one-third of this holding was liable to flooding during the winter; in another case the old rent was £36 13s., the Poor Law valuation £32, and the new rent £60; in another case the increase was from £52 to £80, and in the last case on his list from £40 to £78. Taking the case of 11 holdings they show a total increase from the old rent of £572 to a new rent of £971, the Poor Law valuation being £609. The rents in these cases were, therefore, nearly doubled. I think I have given the House a fresh argument in support of this Bill in connection with at least one class of tenants, namely, long-lease-holders. If ever the Bill passes with that clause in it, I will take the liberty of calling it the "Macartney Clause," because it is entirely due to the monstrous proceedings of Colonel Macartney on that estate. In pleading the cases of these tenants it cannot be said I am actuated by political motives; in fact, they are nearly all Orangemen, and on the 12th July they go about beating big drums in honour of the man who rewards them by denying them redress he owes them, and refusing to allow them to go into the Land Courts to get these rack-rents reduced. I may further point out that the most vehement and most frequent opposition to all measures of reform proposed for the benefit of the tenants of Ireland comes from hon. Members opposite who represent Down and Antrim; and I hope the farmers of those counties will bear those facts in mind at the next election, and take care that they are not again represented by workers in the landlord interest.

(4.35.) MR. MACARTNEY: I should like to make a personal explanation. This is not the first time the facts and figures just read by the hon. Member have been stated to the House. In the Parliament of 1874, when my father was a Member of this House, the same figures were quoted, and my father then made a statement which I believe was considered satisfactory, at least by the great majority of the House. I apologise to the House for having now to repeat the facts. In 1878 a number of old leases on my father property had run out. My father held under a fee-farm grant from the Marquess of Donegall, and he told his

tenants whose leases had run out, and those who wished to give up their leases, that they might if they pleased take fee-farm grants. The tenants knew that my father could not give them fee-farm grants except subject to the covenants under which he himself held, and all the covenants which the hon. Member read out are covenants which existed in the original fee-farm grants, under which my father and his predecessors in title had held the property for 200 years. No single tenant has ever been evicted from that property, and until that agreement in 1878 no rent had been raised for 90 years. There is no agent employed on the estate, and no bailiff. The tenants are not poor men; two or three of them hunt in Kildare, and every one of them is well to do. One of the tenants has since 1878 sold his fee-farm holding, and, notwithstanding the rent and covenants which he held—covenants which the hon. Member dilated upon—his holding was sold for more than 30 years' purchase. The property is situated within a mile of Belfast. I do not contend that the rent is a fair agricultural rent for land in the wilds of Donegal; but in view of the fact that in the fee-farm grant the whole property, buildings, and everything were transferred at a valuation which was fixed by a valuer agreed upon by the tenants, I do not hesitate to say that the rent is a perfectly fair one. The facts are well-known in the neighbourhood of the estate.

*(4.37.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The greater part of the speech of the hon. and learned Gentleman who spoke last but one related to matters which have been most effectually disposed of by the statement of the hon. Gentleman the Member for South Antrim. The very small portion of the hon. Gentleman's speech which was not so occupied was devoted to a contention that the hon. Member for South Antrim has been guilty of inconsistency in opposing the Bill before the House when he had backed another Bill dealing with the question of turbary. In the first place, there was some doubt as to whether the hon. Gentleman had ever backed a Turbary Bill; but even if he had, and even if the two Bills dealt with the question of turbary in precisely the same manner, I do not see any inconsistency in the conduct of my hon. Friend; because the Bill before the House deals with 16 distinct and important matters, and contains provisions which, I venture to submit, are entirely subversive of the principles of the rights of property, principles recognised by the legislation of recent years. I have carefully examined the Bill now before the House, and I submit that each of the 16 distinct matters it deals with might fairly be made the subject of a separate Bill. Is it to be said, then, that because an hon. Member may be in sympathy with the proposal for dealing with one only of these matters, he is inconsistent in moving the rejection of a Bill containing clauses affecting other subjects which he believes to be of a dangerous and objectionable character? What are the subject-matters dealt with in this Bill? To my mind there is one principle plainly involved in the Bill to which I think the majority of the House will not assent by passing the second reading, namely, the principle of "prairie value." If I make that plain to the House, I think hon. Members who object to that principle will not vote for the Second Reading of the Bill, even if they think it contains useful provisions in connection with turbary. There are three provisions of the Bill which, taken together, amounted to the establishment of the principle of "prairie value." First, the "improvements," which are to belong to the tenant, are defined to be, not the work done, but the entire increased letting value of the holding. Secondly, there is to be a presumption, which is practically irrebuttable, that every improvement was done by the tenant, unless that presumption is rebutted by evidence going back 50 years. Thirdly, for the purpose of considering whether the improvements were done by the tenant or not, every person who is the successor in occupation, irrespective of the continuity of tenancy in the land, in other words the successive occupiers of the land, may be represented by the existing tenant. What does taking the improved letting value as the value of the improvements mean? It means this. The effect of the Land Act of 1881 has often been described, I think correctly, as the creation of a kind of partnership between land-

lord and tenant. What would anyone think of the application to an ordinary partnership of the principle contained in this Bill? Two parties come into that partnership; the landlord brings the soil with all its capacity for improvement. [An hon. MEMBER: No.] I think the majority of the House will agree that that is so. The tenant brings into the partnership, assuming he does all the improvements, his labour and money, or money's worth. Then the Bill says the entire improved value is to belong to the tenant. That means that the tenant, one of the partners, shall appropriate the entire benefit accruing to the property brought into the partnership. The true principle is that the profit must be divided according as it is produced by what is brought into the partnership by each partner; but that principle is opposed to, and uprooted by, one of the fundamental principles of the Bill before the House. With regard to the question of successive tenants, it has been decided under the Act of 1870 that "predecessor in title" means "predecessor in legal title;" and under the Act of 1881 it has been decided in the case of "Adams *v.* Dunseath" that there must be a substantial continuance of the tenancy, but that legal devolution of title need not be proved. But how do the framers of this Bill deal with the subject? The Bill before the House goes further, and includes successors in occupation. The Bill defines "predecessors in title" to mean—

> "Predecessors in occupancy, where from the nature of the transmission or derivation of such occupancy to or from the successive occupiers, or from any other circumstance, it shall appear to the Court in which any proceedings under the said Acts or any of them shall be pending that the justice of the case so requires."

This is a matter of principle, which ought to be decided one way or other by the Legislature? Does it mean successors in occupancy or successors in tenancy? In order to escape from the absurdity of laying down that in every case successive occupation should constitute succession of title, the framers of the Bill have been driven to the other absurdity of leaving that question of principle to be decided by the particular views of the Judge before whom the case comes. I ask the House to say that whatever may be the opinions of individual Members with regard to the propriety of dealing with some of the minor questions raised in the Bill, it will not give acceptance to the principle of prairie value, which, in my opinion, is the cardinal principle of the Bill, and that to which its authors attach the greatest importance. The most severe critic of the Bill cannot complain that it is not sufficiently comprehensive. The framers appear to have gone through the land legislation from 1870 to the present day and picked out all the safeguards to the rights of property and either repealed or nullified them. For instance, Section 21 of the Bill repeals Sub-section 6 of Section 13 of the Act of 1881, which deprives of compensation for disturbance tenants evicted for breach of any statutory provision. It is plainly just that if a man is evicted, not through misfortune but through a deliberate breach of statutory conditions, he ought to have no claim for compensation for disturbance. The Bill also proposes to repeal that portion of the Act of 1887 which substitutes the service of an eviction notice for the process of actual dispossession, a process which, in the great majority of cases, is useless, for the tenant is usually restored either as tenant or caretaker. I think the Returns before the House prove that.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): What Returns is the hon. and learned Gentleman referring to? Returns supplying this information have been applied for but not granted.

*MR. MADDEN: I refer to the Returns as to evictions which distinguish between actual evictions and evictions not carried out, and the latter form the great majority.

SIR GEORGE TREVELYAN: Is there any Return showing the number of tenants re-instated?

*MR. MADDEN: My point is that the Returns in the possession of the House show that, in the vast majority of cases, the eviction notice has not been followed by actual dispossession. But there is a really remarkable clause, which contains the marginal note "restitution of possession," &c. The proposal of the clause is a modest one. It is that at any time—so I read the clause—so long as the holding remains in the landlord's possession an evicted tenant may, by lodging six months rent, claim to have an account between him and his landlord, and

to be re-instated, the Court making such arrangements as it thought fit with respect to arrears and payment by instalments. A proposal more entirely subversive of what has always been considered fair between landlord and tenant has hardly ever been submitted to the House. I would describe this Bill as a review of the legislation of the last 20 years, with a view carefully to cut out of that legislation any fair protection of the rights of landlords in the just enjoyment of their property. I do not think anybody interested in Ireland will fail to admit that the country would again be plunged into a sea of litigation if the statutory period of 15 years were reduced to seven years. There is another clause which I think satisfies the general description which I have given of this Bill as a whole. I refer to the clause which renders it impossible for the Court to have regard, on the question of improvements, to the length of enjoyment of those improvements by the tenants. The way the law stands is this: It has been decided by the Court of Appeal in Ireland that no length of enjoyment by a tenant holding under a lease can be taken as amounting to compensation for his improvements, inasmuch as it was not in the landlord's power to dispossess the tenant. On the other hand, in the case of a yearly tenancy before 1870, the landlord may have refrained from exercising his legal rights under a tacit agreement that the tenant should not have his rent increased until he had enjoyed the value of his improvements. Under the law as it now stands, the Court in considering the question of improvements may have regard to any such arrangement with the tenant, when they find it to exist. This Bill says there must be an express contract between the two parties—that is to say, the landlord and tenant must come together at a definite time and at a definite place, and the landlord must say to the tenant—"I will give you a certain number of years." That would hit the good landlords, and would not hit the bad ones, for the good landlords would not be able to rely on any tacit agreements with their tenants. Where there exists a mutual confidence between the landlord and tenant, the good landlord is hit; whereas the bad landlord, who has been exercising his legal rights to the fullest extent, is placed in no worse position than the good landlord. I pass lightly over the clause dealing with arrears. The matter has not been discussed at any length. Further, this Bill cannot be supported as a general Arrears Bill, inasmuch as it deals with that question merely from one particular point of view, namely, the case of application by the tenant to have a judicial rent fixed. The case of the crofters' arrears has been cited; but hon. Members will admit that there is one case which differentiates the case of the Scotch crofters and that of the body of the tenants of Ireland, namely, that the crofters have only recently, and for the first time, been admitted to the privileges of having judicial rents fixed; whereas the great mass of Irish tenants have had the Courts open to them for the last nine years. The question of the leaseholders is also dealt with by this Bill. That, too, is a question of importance; but I do not think that the House ought to be asked to deal with it by this Bill. The House is asked to go back to the legislation of 1887. Under what circumstances is it so asked? It is asked to assent to the Second Reading of this Bill, which contains 16 principles, each of which is of considerable importance, though varying in degree, and commencing, as I have shown, with the principle of prairie value. I respectfully submit to the House that this is not the way in which the question of the leaseholders should be dealt with, nor do I think that this particular question has been discussed at any considerable length on this Bill. There are other provisions of the Bill; there is that dealing with turbary, I think it is a question which, at the proper time and on the proper occasion, is deserving the attention of the House. And I think it is especially deserving of consideration in connection with the question of land purchase. But I think the remarks which I have made in reference to the clause dealing with leaseholders apply with very great force to that portion of the Bill. Then we come to Clause 13, which has been humorously commented upon by my hon. and gallant Friend the Member for Down (Colonel Waring); that is a clause which, as he described it, would make the seaweed on the sea shore the subject of a free fight. Where the foreshores of Ireland do not belong to the Crown, they have

been conveyed by patent, and are the property of the private owner. Without the smallest suggestion of compensation, this clause proposes to deprive the landlords of their rights, which are of extreme value, and often the subject matter of litigation. Hon. and learned Members opposite, who are familiar with the decisions of our Law Courts, know that in many parts of Ireland the question of seaweed is of very great importance. Well, this remarkable clause transfers that valuable property, I will not say to anybody, but, as my hon. and gallant Friend described it, to the strongest who could take it away before his less adventurous or weaker neighbours could get to the sea shore. I do not think that clause will commend itself to the favourable attention of the House. The next question has reference to mining rights and royalties. That question was brought up on the occasion of the Ashbourne Act, 1888. It is a subject which ought to be fairly and fully considered; but I submit that this is not the time for the discussion of it, and that it should be considered in connection with some measure of land purchase. The subject is one deserving of the fullest consideration, and one which no doubt will, when fitting opportunity occurs, receive adequate attention at the hands of the House. As regards the clause relating to sub-letting, I think the House will scarcely join in any attempt to extend the benefits of the Act of 1881 to those who are not substantially in the occupation of their holdings. Occupation was the fundamental principle of the Act of 1881, and, as far as that principle goes, it has been adopted by both sides of the House, and, so far as I am aware, by every person interested in land legislation in Ireland. But this Bill seems to demand an extension of the principle to those who are not in actual occupation. There are cases in which a certain amount of sub-letting does not interfere with the principle of occupation, but such cases have been fully and satisfactorily dealt with by this House by a clause which was introduced into the Act of 1887. Whenever the sub-letting does not interfere with the principle of substantial occupation on the part of the tenant, there is now no grievance; but whenever it does interfere with that principle, and extends the benefits to non-occupying tenants, I submit they are not the persons intended to be benefited by the Act of 1881, which intended to confer the benefit on occupying tenants. Sir, I have endeavoured to go through, I hope not in unnecessary detail, the main provisions of this Bill. It contains a number of other clauses, some of an objectionable character, with which I do not intend to trouble the House; but I do contend that the single consideration that the Bill now before the House embodies the principle of prairie value as the basis of assessment of rents between landlords and tenants, fully justifies the Government in opposing the Second Reading.

*(5.15.) MR. T. W. RUSSELL (Tyrone, S.): We have heard many times during the last 20 years, I suppose, such speeches as that to which we have just listened, urged from that Bench and at that box. I am going to vote for the Second Reading of this Bill, not because I approve of everything in it, but because there are things in it which ought to have been granted long ago. The learned Attorney General has taken care to show all the clauses of the Bill against which any objection can be brought; but he skimmed very lightly indeed over the clauses of the Bill that are really good, and which he cannot argue against. Take, for example, the question of the long leaseholder, upon which I have risen chiefly to speak. What is the position of the long leaseholder? The Attorney General referred to the question as having been settled in 1887. I should like the House to bear in mind what took place in 1887 regarding these leaseholders. By that Bill, as it came down from the House of Lords, very little was done for the leaseholder at all. The Bill, as it was revised by this House, did a great deal of good to the leaseholders. Still it left out of its provisions every leaseholder whose lease extended beyond a period of 99 years. The Members of the Unionist Party met at Devonshire House, and passed a resolution that every leaseholder should be brought within the Act of 1881. But the House as a compromise left out leases of over 99 years. Public and private appeals have been made to the Government on behalf of the long leaseholders, without the slightest regard being paid to those appeals. I admit that the number of

long leaseholders is small—some 4,000 or 5,000. What is the moral difference between a lease of 99 and a lease of 100 years; why should the holder of the first be included in the Act, and the holder of the other excluded? The Attorney General asks me now to vote against the Second Reading of this Bill, which contains a proposal to liberate these men. Do we always approve every line of a Bill when we pass its Second Reading? Nothing of the kind; we pass the Second Reading, and strike out objectionable provisions in Committee. In voting for the Second Reading I am not voting for prairie value. I am not sure that the first clause is altogether wrong. I should be very sorry to see it passed as it stands, but, if amended, I think it would make a very valuable addition to the Land Law of Ireland. There is so much good in this Bill which deals with the long leaseholders, who are cruelly treated and cruelly rack-rented, not by landlords like hon. Gentlemen opposite, but by middlemen who get hold of the land, and who extort most unreasonable rents from the tenants, that I feel bound to vote for the Second Reading, notwithstanding that the measure contains objectionable provisions. Take the turbary clauses. What is their justification? When the tenants went into the Land Court under the Act of 1881, their rents were reduced; but very often a new bog rent was put on, which rendered the whole of the benefits of the Act of 1881 nugatory. It is very easy for the Attorney General to make a speech and to chop logic over a Bill like this. It is very easy to show that there is objectionable matter in the Bill, but the Bill offers a chance to my Unionist friends around me to return to the position they took in 1887 in favour of admitting every leaseholder to the benefit of the Act, and I urge upon them to vote for the Second Reading. We are the allies of hon. Gentlemen opposite, we are not their slaves.

(5.25.) MR. T. M. HEALY (Longford): Sir, I wish to make a few observations on this Bill. The Attorney General has not touched upon one of the chief grievances of the leaseholders, many of whom are excluded by a clause in the lease from the benefits of the Act of 1870, their admission to the Land Court, therefore, being a mere farce. Is it not monstrous that the Government should allow a state of the law by which thousands of tenants are not entitled to one penny of compensation for disturbance? The decision given in a recent case, and confirmed by the Chief Land Commissioner, is an iniquitous decision. It may be a necessary decision following on "Adams *v.* Dunseath," but on the point of equity it is an utterly ridiculous decision. Reference has been made to Section 7 of the Act of 1887. In the course of the last fortnight, the Court of Queen's Bench at Dublin has come to a decision which absolutely strikes at the root of all protection of the tenants in Ireland. Section 7 of the Act of 1887 says that every person shall be served with a writ or process, who at the time shall be in possession of the land. But in the case decided by the Court of Queen's Bench, service upon the nominal tenant in Brisbane, Australia, was held to be good, and they gave the actual tenant a magistrate's notice to vacate the land, although he was proved to have redeemed it. The Judges—landlord Judges every one of them—made a rule which deprived the subtenant of the protection afforded by Section 7—the miserable protection of having an eviction notice served upon him. These Judges had the audacity to make a rule repealing the Act of Parliament, for by their rule the nominal tenant was to be served in Brisbane with a notice sent in a registered letter, whereas the sub-tenant was not entitled to notice at all. My hon. Friend the Member for South Kilkenny reminds me that the original draft of the Act was in accordance with the Judge's ruling; but this House put in an Amendment, and that Amendment has been repealed by the rule to which I have referred. I say it is of no use this House passing legislation if it is to be repealed by the Judges in Ireland.

(5.29.) Dr. COMMINS rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That the word 'now' stand part of the Question."

(5.35.) The House divided:—Ayes 179; Noes 231.—(Div. List, No. 25.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

FISHERIES REGULATION (SCOTLAND) BILL.—(No. 53.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Marjoribanks.*)

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Government cannot accept this Bill. It may be satisfactory to the right hon. Gentleman to know that we propose to deal with the question this Session.

Second Reading deferred till Tuesday next.

SUPPLY.

Order for Committee read.

MR. SEXTON (Belfast, W.): On this Order I wish to ask some Member of the Government to be good enough to say, for the convenience of the House, on what day the Vote on Account will be taken?

*MR. W. H. SMITH: On Thursday in next week.

Committee deferred till to-morrow.

DEEDS OF ARRANGEMENT BILL.
(No. 163.)

Read a second time, and committed for Monday next.

CRIMINAL LAW PROCEDURE AMENDMENT BILL.—(No. 95.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed "That the Bill be now read a second time."—(*Mr. Bradlaugh.*)

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I object.

*MR. BRADLAUGH (Northampton): I hope the objection will not be persisted in. I understand there is an objection to the first clause; but that, I think, can be met by an Amendment, which I am ready to accept in Committee.

SIR R. WEBSTER: I am afraid we cannot allow the Bill to be read a second time without discussion.

Second Reading deferred till Wednesday next.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 103.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Howell.*)

Objection taken.

MR. HOWELL (Bethnal Green, N.E.): I would appeal to the House to allow this Bill to be read a second time. The Amendments cannot be put on the Paper until the Committee stage has been reached. We will do all we can to meet the objections of hon. Members.

Second Reading deferred till to-morrow.

MOTIONS.

MARRIAGES IN BRITISH EMBASSIES, &c., BILL.

On Motion of Mr. Woodall, Bill to amend the Law relating to the Marriage of British Subjects in British Embassies and on board Her Majesty's Ships Abroad, ordered to be brought in by Mr. Woodall, Mr. Addison, Mr. Atherley-Jones, and Mr. Coghill.

Bill presented, and read first time. [Bill 183.]

CHARITABLE TRUSTS BILL.

On Motion of Mr. Woodall, Bill for the amendment of the Law relating to Charitable Trusts, ordered to be brought in by Mr. Woodall, Mr. Addison, Mr. Atherley-Jones, and Mr. Picton.

Bill presented, and read first time. [Bill 184.]

LAW CLERKS (IRELAND) BILL.

On Motion of Mr. Gill, Bill to amend the Law regulating the admission of Law Clerks into the profession of Solicitors in Ireland, ordered to be brought in by Mr. Gill, Mr. Crilly, Mr. M'Cartan, Mr. Richard Power, and Mr. Patrick O'Brien.

Bill presented, and read first time. [Bill 185.]

NEW WRIT.

For Ayr District of Burghs, *v.* John Sinclair, esquire, Manor of Northstead.—(*Mr. Marjoribanks.*)

CATHEDRAL CHURCHES BILL [LORDS.]

Bill read the first time; to be read a second time upon Monday next, and to be printed. [Bill 186.]

HARES PRESERVATION BILL [LORDS.]

Bill read the first time; to be read a second time upon Friday, and to be printed. [Bill 187.]

House adjourned at five minutes before Six o'clock.

An Asterisk at the commencement of a Speech indicates revision by the Member.

Corrected with H.M.'s Government.

HOUSE OF LORDS,

Thursday, 13th March, 1890.

His Royal Highness the Duke of Edinburgh—Singly took the oath.

INDIAN COUNCILS BILL.—(No. 28)

COMMITTEE.

Moved, "That the Bill be now considered in Committee."

LORD HERSCHELL: My Lords, there is a matter to which I desire to call the attention of the noble Viscount opposite in going into Committee on this Bill, because it appears to me to be a matter of very considerable importance, and one which will interfere with the object of the legislation with which the noble Viscount is now concerned, the design of which is to improve the condition of the Provincial Councils in India and to give them further activity and vitality. It will, I think, very much interfere with that end and object unless it receives the attention of your Lordships' House. It will be observed that in the Bill, as originally drafted, and which received the approval of the Government of India, there was a provision contained in the 3rd clause of the Bill that the Local Legislature of any Province in India might, by Acts passed under and subject to the provisions of the Indian Councils Act of 1861, repeal or amend as to that Province any legislation made with regard to that Province, prior to the passing of the Act or to the formation of any Councils subsequently established. In order to explain the point, I should like to call attention to the provisions contained in the Indian Councils Act of 1861. That Act deals with the Councils. Let me take the Council of Bombay as an illustration. It enabled the Council of Bombay to act in regard to what I may call local legislation, but it provided that it was not by its legislation in any way to repeal or amend or interfere with any law passed by the Council of the Governor General subsequent to the Indian Councils Act of 1861—the object, of course, being that the Local Legislature should not interfere with subsequent legislation of the Governor General in Council dealing with matters with which it thought fit to deal, notwithstanding the existence of the Provincial Council; but it left the Provincial Council free to deal with all the legislation prior to 1861, and of course with all legislation on matters which were in no way dealt with for Bombay by the subsequent action of the Governor General in Council. It enabled other Provincial Councils to be formed, but they could only be formed subject to the same conditions as to legislation as were applicable to Bombay. The consequence was that any Provincial Councils formed, however many years afterwards, could not deal with any subject of legislation practically between 1861 and the time it was formed, which had been dealt with for that Province by the Governor General in Council. Before that time there had been comparatively little legislation of that kind, and, therefore, to preclude a Council formed in 1861 or about that time from dealing with any legislation subsequent to 1861 was to limit their legislation to a very small area. But after 1861 there was a great deal of legislation necessary by the Governor General in Council affecting other parts of India, affecting them as to purely local details, as to which the Government had never before thought fit to interfere. Therefore, when the Local Council was constituted for the North West Provinces it was in this position: that it could not deal with any subject of legislation that had been dealt with in any way whatever, so that purely local matters which had been dealt with by the Governor General in Council between 1861 and, say, 1880, could not be dealt with by the Provincial Council. For example, if the Governor General in Council had dealt with such matters as the straying of cattle, or trespassing of cattle, which are of course purely local concerns, then because they had been dealt with in some way by the Governor General before the North-West Provinces Council was constituted, the North West Provinces Council was powerless to deal with them. The consequence is, that though the North-West Provinces Council has been created, its hands are tied, and it is prevented from dealing with a vast range of purely local subjects which the other Councils, such as the Council of Bombay,

have been dealing with for years. If there is a Council constituted for the Punjaub, which will probably soon be the case, that will be subject to the same fetters. The consequence is, that there will be little advantage gained by increasing the importance or strengthening the powers of the Provincial Councils if you only strengthen them in importance, but leave them in such a position that they are prevented from dealing with a vast range of purely local matters, which it is in the highest degree expedient the Councils should be induced to take up as much as possible. To meet that difficulty the 3rd clause was introduced into the draft Bill which is before your Lordships' House, and it was approved by the Governor General in Council. I need not read it; but that clause practically gets rid of the difficulty to which I have called your attention, and enables these Councils, notwithstanding the prior legislation before they were constituted by the Governor General in Council, to deal with these important local matters. I do not know why this clause has dropped out of the Bill, but I desire to call your Lordships' attention to it because it is really of little use to strengthen these Provincial Councils, as I hold it is in the highest degree necessary to strengthen them, and which will lead to most valuable work being done in India, if their hands are tied so that they cannot deal with these important subjects of every-day interest, and regarding purely local concerns, which it is necessary for them to deal with and legislate upon. I hope, therefore, that we shall have some explanation from the noble Viscount as to why this clause has been omitted.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, what has fallen from the noble and learned Lord opposite is perfectly true. This clause was in the original Bill, and had received practically the sanction of the Government of India. It was only left out in order to lighten the Bill, which we are anxious your Lordships' House should pass. Thinking, however, that it would be wise not to leave that point alone, I have been in consultation with some of those who are most intimately acquainted with the North-Western Provinces, and I am prepared, if it should be considered necessary for this clause to be inserted, to at once assent to that re-insertion. But I am further strengthened in that opinion by the consideration that the more one looks into the matter the more one is convinced that the extension of these Councils will be a great advantage to India. I am in correspondence privately with the Viceroy as to whether it would not be well in other parts of India to set up Councils like these in order, as far as possible, to bring about decentralisation. If, therefore, in Committee the noble Earl will move the re-insertion of that clause in the Bill, I shall at once assent to it.

*THE EARL OF KIMBERLEY: I am exceedingly glad that my noble and learned Friend has called attention to this matter. I am sorry I overlooked it, because the point was raised at the time I was at the India Office, and extreme inconvenience was experienced by the absence of such a clause as this which has been left out of the Bill. I believe it would be a great practical remedy for that inconvenience. I have heard with great pleasure the opinion which the noble Viscount has expressed that it is desirable to extend the Councils to other parts of India. At the time I was in the India Office it was determined to extend the system of Councils to the North-Western Provinces, and I certainly from what I heard at that time, speaking from my own examination of the subject, am fully persuaded that from time to time as the Provinces are found to be in a fit condition to receive Councils, they should be extended to those Provinces.

On Question, agreed to.

House in Committee (according to order).

Clause 1.

*THE EARL OF NORTHBROOK: It will be perhaps in the recollection of your Lordships that on the Second Reading of this Bill my noble Friends the Marquess of Ripon and the Earl of Kimberley and I myself expressed our cordial support of the Bill, but our desire that the door should not be shut to some system of election or selection in respect of the nomination of members, certainly of the Local Legislatures and possibly also of the Supreme Legislature. My Lords, in

expressing that opinion we took care, and my noble Friends will correct me if I am not giving an accurate account of their views as well as my own, to express our opinion that India was at the present time entirely unsuited to the introduction of any general system of popular representation. In the discussion my noble Friend the Marquess of Ripon gave an illustration of the manner in which, when he was Viceroy, he made one or two appointments to the Legislative Council of the Viceroy; that is to say, by requesting a Public Body of some importance in Calcutta to recommend a gentleman for appointment as a member of that Council, in view of a very important project of law which was then being discussed. In reply to our observations, the noble Viscount the Secretary of State for India referred to that illustration, and expressed his opinion that some such practice as that was likely to be carried out under the Bill, and he said it might be very desirable that Public Bodies of different kinds in India should make recommendations to the Viceroy and to the heads of Local Governments for appointments to the different Legislative Councils, the Viceroy and the heads of the Local Governments nominating, if they thought fit, the persons so recommended to them. I think the noble Viscount added that he believed that could be done under the provisions of the Bill. I was a little doubtful whether that suggestion could be carried out without possibly a legal difficulty arising, unless an extension were made of the words contained in the Bill; and for the purpose of making that quite clear I venture to propose the Amendment which I have placed upon your Lordships' Table, namely, to insert the following words at the end of Clause 1:—

"Provided that the Governor General in Council may from time to time, with the approval of the Secretary of State in Council make regulations as to the conditions under which such nominations or any of them shall be made by the Governor General, Governors, and Lieutenant Governors respectively, and prescribe the manner in which such regulations should be carried into effect."

I apprehend those words will make it quite clear that some such system as was indicated by my noble Friend the Marquess of Ripon, and which appeared to receive the assent of the Secretary of State for India, could be carried into effect. I have only to add one word more, and that is to express my own opinion that while it is desirable that a certain number of nominations to the Legislative Councils in India may be made in this manner, yet I am far from thinking that it would be wise at the present time to enact that all the non-official members of the Council should be nominated after such consultation; and I will give your Lordships an illustration showing how difficult it would be to create such a rule with fairness to the people of India. I take it that in the Lower Province of Bengal the representation of the ryots, the cultivators of the soil—that is, the great mass of the people must be provided for by the selection of some person by the Lieutenant Governor, for instance, some member of the Civil Service who has paid great attention to the wants of the ryots, and who can represent those wants in the Legislative Council. Taking any system that could be applied to Bengal at the present time for the purpose of selecting a representative by the recommendation of Public Bodies, it would be exceedingly unlikely that anyone really representing the great mass of the cultivators of the soil would be recommended. Therefore, I think, there should always be some power reserved to the Governors and Lieutenant Governors of Provinces, in order to provide for the representation of different classes of people—people of different races and different religions—a representation which could not be adequately provided for by any system of election which I have yet seen advocated by anyone who has taken the subject into consideration. I venture, therefore, to move the insertion of the words which I have read.

Amendment moved, at the end of Clause 1, to add—

"Provided that the Governor General in Council may from time to time, with the approval of the Secretary of State in Council, make regulations as to the conditions under which such nominations, or any of them, shall be made by the Governor General, Governors, and Lieutenant Governors respectively, and prescribe the manner in which such regulations shall be carried into effect."—(*The Earl of Northbrook.*)

*VISCOUNT CROSS: The noble Lord who has just sat down has most accurately described what I had the honour of stating to your Lordships when I intro-

duced this Bill, and therefore it is unnecessary for me to repeat anything I then said, because it has been so plainly put before your Lordships by the noble Lord. It had always been my intention when this Bill became law, which I hope will soon be the case, to follow the example of Sir Charles Wood, and in sending out a copy of the Act to send with it a despatch pointing out how these members of Council might very well be nominated, so as not only to give the Governor General, the Governors, and Lieutenant Governors, sufficient additional assistance, as they might require, but that they might get the best representatives of the people of the country. But the noble Lord has said that there might be some possible legal difficulty experienced in carrying that out, unless there was something in the Act of Parliament showing how that might be done. Nothing was, or is, further from my mind than to leave a legal difficulty open for further dispute; and therefore I have not the smallest objection to insert such words in order to make quite clear the intention of the Legislature in passing this Act of Parliament. There is one further advantage in inserting words of this kind, and that is that their insertion will satisfy the people of India that this matter has been thought of and considered, when they find that this particular point is referred to in the Act itself which practically increases the number of persons who are to be nominated. I do not think, therefore, that I should be justified now in taking up more of your Lordships' time upon the matter than I have already done, because I should only be repeating what I said on the Second Reading of the Bill. I have no objection to the insertion of those words.

*The Earl of KIMBERLEY: My Lords, I am extremely glad to hear that the noble Viscount will accept the words proposed by the noble Lord behind me. I am bound to say that I can express my own satisfaction, because I regard this as to a certain extent admitting the elective principle. I understand that this will enable the Governor General, Governors, and Lieutenant Governors to put into the hands of certain public bodies the selection of the persons who are to be nominated by him to the Council. That may not not be, strictly speaking, what we should call election; but I welcome this clause as opening the door—because I should wish to leave an open door—to the Government to practically leave the selection to bodies who will, in fact, elect the representatives. I entirely agree with my noble Friend behind me that it is not desirable that this system, whatever it may be which is adopted, should be extended to the whole of the non-official members; in other words, it is most essential in India that the interests of minorities should be protected. It has been found in this country not very easy to protect the interests of minorities by any contrivance that can be devised; but there must be found some mode in India of seeing that minorities such as the important body of Mahomedans, who are frequently in a minority in parts of that country, are fully represented. There are several reasons, as my noble Friend stated, for adopting that course. It is not, of course, really possible that the ryots should be represented otherwise than by such persons as may be selected by the Governors. These, my Lords, are the reasons why I thoroughly agree with the noble Lord that this will be an improvement to the Bill, and I can only hope that, under a judicious use of those powers by the Governor General, with all such safeguards as would be necessary in carrying out a very important experiment such as this, this enactment will be found to be a very valuable addition to the constitution of the Councils in India.

On question, "That the proposed words stand part of the Bill," agreed to.

Clause 2 agreed to.

*Lord STANLEY of ALDERLEY: Your Lordships may have observed that when questions have been put either in this or in the other House of Parliament with regard to grievances or complaints in India, one of two answers is generally given, either that the Secretary of State for India has not had the matter referred to him, and he knows nothing about it, or that the matter has been decided by the Indian Government, and he cannot go back from what they have done. On one of the occasions last Session when I put a question to the noble Viscount I was making no complaint against individual officials, but rather against the system

that was going on—I called attention to cases of men and women who had been fined and imprisoned for trifling infractions of the Revenue Laws in regard to the manufacture of salt. I am glad of this opportunity of thanking the noble Viscount for saying that he would inquire into the matter, for he inquired to such good purpose that a very short time afterwards it was announced that resolutions had been passed prohibiting prosecutions in future for trivial infractions of the Revenue Laws in regard to salt. But it is not only natives who have to suffer from injustice, but also Englishmen. There was the case of a Mr. Crole who obtained justice from my noble Friend, and before that from Earl Kimberley. Mr. Crole having been suspended through the action of a Member of the Madras Council, came home to England and laid his case before the Secretary for India. He was ordered to be, and was, re-instated as far as he could be re-instated; but as his place had been taken in the meantime by somebody else, he had to be placed in an inferior position, and he lost besides a year's salary. I believe the noble Viscount afterwards gave him that year's salary; but I do not know whether it came out of the pockets of the taxpayers or had to be made good by those who had suspended him. There can be no reason for any obstacle being placed in the way of the Government knowing in time what has been done by its subordinates; therefore, my Lords, I beg leave to move the Amendment of which I have given notice. Perhaps the noble Viscount will be able also to tell me whether the four restrictions contained in Clause 19 of the Act of 1861 will still be in force, and if that which is not forbidden by those restrictions will be permitted?

Amendment moved, on Page 2, at end of Clause 2, to add—

"Provided also that rules made under this Act shall not prohibit questions being asked relating to complaints respecting alleged acts of maladministration within British territory." (*The Lord Stanley of Alderley.*)

*VISCOUNT CROSS: In reply to the last observation of the noble Lord, the four restrictions he refers to will undoubtedly be in force. I know of no others. As to my noble Friend's Amendment, I think the words he proposes would be dangerous, and they would certainly be superfluous. In the first place, the rules are to be drawn up by the Governor General, and if we permit questions to be asked I think it should be for him to consider the matter. I think the Viceroy should have the power of putting a stop to any question if he thinks it advisable, because it might be entirely against the public interest for certain questions to be answered. That liberty you must leave to the Viceroy, Governors, and Lieutenant Governors. Therefore I should say that those words would be utterly useless, because no such rule would ever be made as to prevent any general inquiry into cases of maladministration. In fact the object of giving this right of asking questions is for the purpose of interrogating the Government upon their acts. At the same time, it is necessary to preserve the power of the Viceroy, Governors, and Lieutenant Governors, to prevent any question being asked, or at all events to refuse an answer in case it should be in his opinion injurious to the public interest. I hope, therefore, your Lordships will not desire that that Amendment should be adopted.

On Question, "That the proposed words stand part of the Bill," resolved in the negative.

Clause 3 and Clause 4 agreed to.

LORD HERSCHELL: After Clause 4, I have to move a new clause in reference to the powers of Indian Provincial Legislatures. I need not say anything further about it on the present occasion, because I stated all I had to say about it upon going into Committee.

Moved, on page 3, after clause, to insert the following new clause:—

"The local legislature of any province in India may from time to time, by Acts passed under and subject to the provisions of the Indian Councils Act, 1861, and with the previous sanction of the Governor General, but not otherwise, repeal or amend as to that province any law or regulation made either before or after the passing of this Act by any authority in India other than that local legislature: Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the Governor General in pursuance of the Indian Councils Act, 1861, shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor General under this section."—(*The Lord Herschell.*)

On question, "That the proposed words stand part of the Bill," agreed to.

Bill to be read 3ª on Monday next; and to be printed as amended. (No. 40.)

COUNTY COUNCILS ASSOCIATION EXPENSES BILL.—(No. 37.)

COMMITTEE.

House in Committee (according to order).

Amendments reported (according to order).

LORD HERSCHELL: I have to propose an Amendment to this Bill. It is little more than a verbal Amendment; but it has been suggested to me by the President of the Local Government Board, and I think it carries out the intention of the Bill. As the Bill is worded, it enables subscriptions to be provided by the County Councils to form a Common Fund, and the intention no doubt was to form a single Association, of which all the County Councils in England and Wales might be members. The President of the Local Government Board has thought it might be considered that power was given to subscribe to an unlimited number of Associations. That was not the intention of the Bill, and, therefore, I propose to amend it so that it will read that it is formed for the purpose of consulting upon matters to the common interest of County Councils in England and Wales. That meets the objection of the President of the Local Government Board, and he approves that Amendment.

Amendment proposed, in Clause 1, line 6, to leave out the words "purposes aforesaid," in order to insert the words—

"purpose of consultations as to their common interests and the discussion of matters relating to local government,"—(*The Lord Herschell.*)

—instead thereof.

Amendment agreed to.

Bill to be read 3ª to-morrow.

STANDING ORDER No. XXI.

*LORD TEYNHAM: Your Lordships will believe that it is with keen regret and disinclination—more, perhaps, than I can express, for I do not know that words are adequate to their expression—that I invite your attention to the Motion and to the observations of which I have given notice. I do regret to have to make this Motion. I regret that it should be necessary, but I believe that regret is pardoned to humanity since we know that it has sometimes been divine, and I feel myself precluded from resting any appeal on the ground of disinclination to make this Motion, contrary to my own wish. Although, as too often happens, I am ashamed to say I do not realise it as fully as I should, that unwillingness, far from being a disadvantage, is an advantage, and a great advantage, if I have undertaken this in submission to the imperious necessity sometimes laid by a higher power upon the unwilling. For nearly 50 years I have possessed, and made use of, the opportunity afforded at all times of observing—vigilantly and sometimes anxiously observing — the fluctuating political fortunes of your Lordships' House, but more intently the variations in mode, in temper, and in manner (which is but the index of temper) and in the ideas which have been presented to, and received by, the mind of the House, determining it in an upward or a downward course, and, above all—forgive me, my Lords, because I particularly wish you to mark this—in the consciousness or unconsciousness of power, for I want your Lordships to regard that alternative, since by it is almost differentiated life from death. Oh, the greatness of that immense influence — I might almost say a creative influence—over your political fortunes! In the days which I can remember your Standing Orders were, I will not say prized, but they were thought useful as indicating the sequence of business. Still, they were more than prized—they were reverenced, not because they could in theory be appealed to, for I appeal to my contemporaries whether they practically ever were appealed to—hardly ever—but because they exercised an unseen and benign influence in determining the deliberations of your Lordships' House in the direction of dignified order. I particularly wish that you should consider this: that if you are henceforth to substitute for the rude—I do not use the word in its usual, but in its technical sense — and mechanical operation of Standing Orders, that high code of mutual

forbearance of mutual respect, of mutual confidence, I assure your Lordships you will be creating a stone of Sisyphus to which you can give no rest, and which will give no rest to you, but of which the revolutions, ever provoking—the deadly tiresome revolutions—will be never ending and still beginning. I hope, my Lords, you will not consider me a *laudator temporis acti*, but I say, and I speak from remembrance, that the Standing Orders of your Lordships' House in my earlier days were regarded rather as decorations than as restraints. They resembled those Orders which distinguish the more eminent Members of your Lordships' House, for they were accompanied by statutory obligations, but those statutory obligations were interpreted in the true, gentle, tender spirit of chivalry. To show you that I am not entirely disentitled to speak from experience, I may mention that I was present by favour (though very shortly afterwards I became entitled to be there by right) at the foot of the throne, upon what I think you will agree was a very important historical occasion—it was, if I remember rightly, the last day of the last Administration of Lord Melbourne, a great Minister with whom I should not on all points agree, but who concealed under a gay exterior the most heroic self-abnegation and the proudest disdain of reward, but who has his reward now, for the people of England are beginning to learn the lasting value of his services. My Lords, I have had better fortune even than that, for I had the good fortune to hear the noble Viscount boast with legitimate pride that he had taken the noble Earl, the now Opposition chief, from the Buckhounds and made him a leader of men. There is a well-worn proverb, which is familar to our neighbours, *La caque sent toujours le hareng;* and if I may ask your Lordships to eliminate from that proverb the slight element of coarseness which it possesses in common, I think, with most vulgar proverbs, and to apply it not in the least invidiously to the noble Earl, I think you will agree with me that the noble Earl, with wonderful and almost juvenile zest, afforded in the scene of last Friday remarkable evidence that throughout all the arduous and anxious duties of more than one exalted office held through a long series of years he cherishes still in his heart a loving recollection of the whip! And now as to this Motion of mine. I think I may rely upon your Lordships' recollection as on my own (and if that recollection be imperfect I should think *Hansard* would probably supply a little) that I did request, and, I hope, in a becoming manner, the indulgence of your Lordships' House while I asked your leave to say a few words of which I had not given any notice, and that your Lordships granted that indulgence. My sentences unfortunately are rather long, and I wish they were not so involved, but I was allowed to speak for a few moments. Your Lordships had ample time to have said, "no, no." Had I heard but one negative from the furthermost corner of the House I should have stopped at once; but I heard none—none. I must now take the opportunity of apologising to my noble Friend who interrupted me—I am sure with the very best of motives—and to assure him that I thoroughly appreciate his sterling character, for although I have not the honour of his personal acquaintance, I am well assured of that. I believe that if he had had the faintest conception of what I was then going to say to your Lordships, had he known that I was pleading the cause of a gracious lady who, at that terrible time of the massacre of the Druses, descended like a heavenly dove upon the field of carnage, and still, in Syria, devotes the rich resources of her accomplished mind, her large fortune, and all the faculties of her being to the amelioration of the condition of those Syrian natives whom she had learned to pity and to love—had the noble Lord known, further, that for seven long months she had been waiting, and waiting in vain, for justice; that her treasury, dedicated to holier purposes, is being daily exhausted by expenditure in legal and diplomatic expenses at Constantinople; that her position has become almost insupportable; that every day is an anxiety, and every hour one of wistful but baffled hope, I am sure of this, that the noble Earl would almost sooner have cut off his right hand than have offered to me the faintest interruption. And now, my Lords, as to the point of congratulation. I hope my Motion has convinced your Lordships, without my saying anything more, why I brought forward this without notice. Even did I occupy the most exalted

position in your Lordships' House, I should consider it perfectly presumptuous on my part to give public notice on a printed paper that I intended to offer my personal congratulations to the noble Marquess on his having made an appointment or upon his having happily recovered from the influenza. My Lords, the matter does not require argument. I am speaking to men who—I do not know that it was always so in the days of our grandfathers, but it is so now—are conspicuous above all other Europeans for their observance of the amenities of life; and no one knows better the truth of what I am going to say than the noble Earl opposite, one of the greatest masters of graceful compliment. He knows very well that a compliment would lose all its freshness and therefore half its acceptability, were it to be printed and posted in the Orders of the Day. But if I may be permitted to recur to the French proverb which I quoted, the noble Earl so eagerly ran after his favourite red herring that he was led for the first time, and I am certain for the last time, in his life to an opposite conclusion. I beg also to assure Lord Camperdown that I entertain no animosity against him for the part which he took in the scene on Friday; but as no good purpose would be served by too much minimising, I think it my duty simply to say of the part taken by the noble Earl that it was conspicuously young. I will say I think he wished to terminate in the readiest manner an incident which he thought was beginning to be troublesome, and which, at all events, I suppose was troublesome to him. While he did not show any anxiety to discover what might be the meaning of that incident, he did not greatly care what might be the consequences of his own procedure. Well, my Lords, I am not vindictive; but I must say that, when I witnessed the Phaeton-like performance of the noble Earl, utterly oblivious of the paternal advice, "*In medio tutissimus ibis*," I was at that moment appalled, as I am at this moment surprised; and, for a very sufficient reason. My last previous knowledge of the noble Earl was when I heard him deliver in your Lordships' House words which struck me greatly, words which appeared to me to soar above the spirit of Party, words of great weight and wisdom, and which I am inclined to think concurrently with other events, but not thereby losing their individual power, have exercised an influence beyond the limits of your Lordships' House. I hope the noble Earl will see that I entertain no animosity against him, and I hope and desire for him nothing more than that he should have other opportunities of addressing your Lordships' House, and that he should avail himself of them. If I were vindictive, if I had the deplorable misfortune, as alas! your Lordships know is only too possible to have come of a vindictive race, and never to have been so favoured by Almighty God as to be able to overcome the natural tendency to retaliation, I might have availed myself of an easy, ready, and perfectly Parliamentary method of dealing with the noble Lord; for, my Lords, I should only have had to move, That it be entered upon the Journals of this House that Lord Teynham, having requested permission of your Lordships to congratulate the Marquess of Salisbury upon having appointed Colonel Trotter, of the Royal Engineers, Military Attaché at Constantinople, to the post of Consul General at Beyrout, the Earl of Camperdown moved that Lord Teynham be no longer heard. In saying that, my Lords, I only desire to hold up to him on this occasion a mirror in which he may be enabled more calmly to view himself than he had the opportunity of doing in the exciting scene on Friday. I do not know that I have anything more to say. I hope the leaders on both sides of the House will see that this is a reasonable Motion.

Lord Teynham

Moved to resolve, as an addition to Standing Order XXI., that—

"When the House has tacitly and *nemine contradicente* waived that or any other Order by request of a Peer to enable him to address it, no Peer shall disregard that waiver by calling or appealing to order."—(*The Lord Teynham.*)

EARL GRANVILLE: I do not know that there is any reason particularly why I should follow the noble Lord; at the same time, as I was one of the three Peers who called him to order on the occasion to which he has alluded, and as he has made an exceedingly courteous allusion to myself this evening, I am ready to do so, and the more readily because I wish to take the earliest oppor-

tunity of stating that in calling him to order the other day I did not wish to show the slightest discourtesy to him. I go further—and I do not think the noble Earl opposite (the Earl of Feversham) will contradict me when I say that his interrogation was a simple call to order without the least desire to show any want of respect. Lord Camperdown is, I believe, in Scotland at this moment; but it is my conviction that my observation also applies entirely to him. The order of this House, unlike that of the House of Commons, rests with the House collectively and individually, and every Member is at liberty to move the House, when he thinks it necessary, with a view to the maintenance of order. The first responsibility for order rests with the leader of the House; but as long as I have been in the House, I have always observed that the leader of the Opposition is most anxious to assist the Government in questions of this sort, and it was for that reason that I intervened. The noble Marquess the other day pointed out the irregularity of the proceedings of the noble Lord; but, at the same time, Lord Salisbury said that, personally, he did not object to hear Lord Teynham, though he could not then give him any answer. That is exactly the doctrine which I have very often preached in this House; but as I think there is an inconvenience in calling a noble Lord to order, I made the suggestion that Lord Teynham should put a question on the Paper for the next day, in which case noble Lords would be prepared to state their opinions upon the matter. It is not for me to dictate to your Lordships the course you should take with regard to the particular Motion which has just been made; but I own that if the noble Lord can find a Seconder and a Teller, I, individually, shall vote against him on the ground that he is proposing an unnecessary change in the practice of your Lordships' House.

THE EARL OF FEVERSHAM: My Lords, I need scarcely say that in the action I took on Friday I had no personal motive whatever; nor, indeed, was it with any feeling of disrespect to the noble Lord that I took the course I did. I simply thought it my duty to rise to order, having waited to see whether he was going to confine himself to putting a question, or whether he was going to make remarks and raise a discussion; and I think the action I then took was in conformity with the tenour and spirit of the Standing Orders of your Lordships' House. It is there stated that where it is intended to raise a discussion upon a Motion notice of that intention should be given the day before. Probably the noble Lord, not having been long a Member of the House, was not aware of that Standing Order, and I thought that possibly he would be grateful to anyone who should call his attention to it. He, however, proceeded with his remarks, and as he went on discussing the matter he unfortunately rendered himself liable to other interruptions. I think he will see that the Order of this House rests in the hands of your Lordships both individually and collectively as the noble Earl opposite has said. In that way this House has always maintained its own order. It is a privilege which is given to every Member of this House, and I hope we shall long continue to exercise that privilege. I hope the House will always maintain its own order and regularity.

THE MARQUESS OF SALISBURY: I am not sure, my Lords, that I can follow the noble Lord who has just sat down in his admiration of the peculiar custom of this House which places the keeping of order individually in your Lordships' hands. It has often been suggested that another mode more analogous to that which obtains in the House of Commons might be adopted. But serious difficulties have been found to arise, and no change has been made. I think when there is a difficulty with regard to order in this House a larger amount of time is expended upon the matter than is devoted to such occasions in the House of Commons; but though the rule in this House involves a larger expenditure of time, it has not been thought right that any change should be made. With regard to this particular Motion, I hope the House will not adopt it, because it is a mere reiteration of that which is at present the Standing Order of the House. If you examine the words you will see that where the Standing Order has been suspended *nemine contradicente* nobody shall be allowed to be called to order on account of acting contrary to that decision. That would certainly be the case as the Orders stand now. The

point in which the proceedings in this case differ from those which are contemplated in the Motion is that the decision *nemine contradicente* was taken in a very informal manner. As the addition will make no difference in the Orders of the House, I trust it will not be adopted.

On Question, resolved in the negative.

LARCENY ACT, 1861, AMENDMENT (USE OF FIREARMS) BILL.—(No. 18.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3° to-morrow.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Bishop of Lichfield to the Standing Committee for General Bills for the consideration of the Presentation to Benefices Bill; read and ordered to lie on the Table.

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 13th March, 1890.

QUESTIONS.

AGRICULTURAL SCHOOLS.

SIR RICHARD PAGET (Somerset, Wells): I beg to ask the President of the Board of Agriculture whether he proposes to present to the House any statement of the distribution of "Grants in Aid" to Agricultural schools during the current financial year; and whether he will, in connection with any such statement, present a Report on the Agricultural School at Aspatria, the system of agricultural teaching carried on in connection with the college at Bangor, or of technical or other work at other Agricultural schools assisted by the Department?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincoln, Sleaford): I hope very shortly to lay upon the Table a statement showing the distribution of the Grants in Aid to Agricultural and Dairy schools during the current financial year. I will endeavour also to supplement that statement by an explanatory Report upon the educational work carried on, as I am informed and as I am glad to say, with very considerable success, both at the institutions which are named by the hon. Baronet and also in other quarters where assistance has been rendered by the Parliamentary Grant.

TEACHERS IN ELEMENTARY SCHOOLS.

SIR RICHARD PAGET: I beg to ask the Vice President of the Committee of Council on Education whether he can see his way to make provision whereby pupils in training for the post of teachers at Elementary schools may have opportunities of acquiring a sufficient knowledge of both practical and theoretical agriculture to enable them to give lessons to children in elementary schools in simple agricultural facts and Elementary agricultural processes; and whether similar provision can be made for instruction of teachers at Elementary schools, either at local centres or in some other manner?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The new Code contains provisions which will, I hope, contribute to secure the objects my hon. Friend has in view, so far as the future supply of teachers is concerned. And it seems to me that provision could be made as regards existing teachers to local classes in agriculture under the Science and Art Department. I shall also be glad to consider any further scheme for the purpose.

THE COAL MINES REGULATION ACT.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to ask the Lord Advocate whether his attention has been called to the prosecution of a miner in the Sheriff Court at Hamilton for a contravention of the Coal Mines Regulation Act, by using a stemmer or other implement of a description forbidden by the Act; whether the trial was fixed for 4th March, but, when the case was called, it was without any previous notice postponed indefinitely, at the instance of the Public Prosecutor, on the ground that some of his witnesses were ill; whether eight working miners attended the

Court as witnesses for the defence; whether he will consider the propriety of re-imbursing those witnesses for the loss of their wages and expenses; and whether he will give such instructions to the Procurator Fiscal as will prevent such inconvenience and loss being caused to witnesses who attend in the performance of a public duty?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have inquired into this matter. It was not possible to give any notice of postponement of trial, as the Procurator Fiscal was only made aware of the absence from illness of an essential witness half an hour before the hour fixed for the trial. I have no reason to doubt the accuracy of the number of working miners present, given in the question, but am unable to say positively, as no notice was given to the Procurator Fiscal either as to the number of these witnesses or the nature of their evidence. It would be quite contrary to practice to re-imburse such witnesses. The professional and official experience of the hon. Member must doubtless make him aware that such a delay as occurred in this case is sometimes unavoidable, and of very rare occurrence. Every care is taken by the Public Prosecutors, where it is possible for them to do so, to intimate any postponement, and to avoid inconvenience and loss to those persons who may have to attend. In these circumstances I think he will agree with me that it is undesirable to issue instructions to the Procurator Fiscal which would imply censure where no error had been committed.

THE SCOTCH-AMERICAN MAILS.

MR. LENG (Dundee): I beg to ask the Postmaster General whether he can explain the circumstances under which the Scotch mails for America of Saturday, 24th August, Saturday, 7th September, 1889, and Saturday, 25th January, arrived in New York a week, four days, and four days late respectively, those of 31st August being delivered at the same time as those mailed on the previous Saturday; whether he is aware that by these delays British merchants in New York were put to serious expense and annoyance by their shipments of goods being placed under general order by the Custom House in New York, and could not be touched until the certified invoices mailed by the retarded mails arrived; and whether the Post Office Department, in each case of the delay of the Scotch mails to America, investigates the cause and addresses a remonstrance to the party responsible for it?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): From the inquiries I have made the hon. Member appears to have been mis-informed as to delay having occurred to the Scotch mails for America of Saturday, August 24th last. I find that those mails reached Queenstown in due course, and were embarked on the 25th on board the Cunard packet *Servia*, and were delivered at New York on September 1st. The Scotch mails of September 7th, 1889, unfortunately missed the Cunard steamer owing to an accident on the railway near Carlisle, which blocked both lines of railway. These mails reached America four days late. The delay of the mails of Saturday, January 25th last occurred through exceptionally stormy weather, which delayed the train, as I explained on the 3rd inst., in reply to the hon. Member's question on that subject. I can quite understand that delays such as those referred to are the cause of serious expense and annoyance to shippers, and I can assure the hon. Member that my department carefully inquires into each case of delay and makes a special representation to the company in fault whenever it appears that the delay has resulted from circumstances over which the company could have exercised control.

MR. SUTHERLAND (Greenock): I beg to ask the Postmaster General whether, in the event of the Scotch-American mails missing the outward bound packet at Queenstown, he would cause a notification of the fact to be made through the Press, together with an intimation of the name of the steamer by which such delayed mails would be forwarded?

MR. RAIKES: I can readily appreciate the convenience it would be to merchants and others to have the information suggested by my hon. Friend whenever a delay of the kind unfortunately takes place. I propose, accordingly, to cause notices to be inserted in the daily *Post Office List*, which, as the official organ of the Department, goes to all the principal Post Offices throughout

the United Kingdom, and is taken by a large number of merchants and others. If, however, this turns out to be an inadequate way of affording the information desired, I shall have no objection to giving further publicity to the notices through the Public Press.

IRELAND—THE ENNISCORTHY LUNATIC ASYLUM.

MR. JOHN REDMOND (Wexford, N.): I beg to ask the Attorney General for Ireland if his attention has been drawn to the omission of the name of the Mayor of Wexford from the List of Governors of the Enniscorthy District Lunatic Asylum; whether from the foundation of the institution until now the Mayor of Wexford has always been one of its Governors; who is responsible for advising the Lord Lieutenant in his selection of Governors for this institution; and what is the reason for the removal of the name of the present Mayor of Wexford from the list?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): It is the practice of the Lord Lieutenant to select the Mayor of a city or town as a Governor of the District Lunatic Asylum for his term of office, provided there be no reason to the contrary. The Lord Lieutenant directly exercises his own responsibility in the matter. The Mayor of Wexford was undergoing two months' imprisonment for intimidation. He was, therefore, not appointed a Governor of the Asylum.

DISTURBANCE AT PALLASKENRY.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lord Lieutenant of Ireland whether he is aware that, on Wednesday evening, 5th March, a number of Protestants, returning from Pallaskenry, County Limerick, after attending an auction there, were waylaid and attacked with stones by persons lying in ambush; that several persons were struck, and one severely cut in the forehead with a stone; and that the clergyman of the parish has been pelted with stones and his family insulted; whether he has any evidence to show that these disturbances were occasioned by the denunciations of Roman Catholic Priests, which followed the recent conversion to Protestantism of a Roman Catholic servant; and whether, in consequence of the condition of the district, an extra force of police had to be brought there for the protection of the Protestants, who are boycotted and in danger of their lives?

MR. MADDEN: The Constabulary authorities report that stones were thrown as alleged in the question, and that some of the party were struck but not injured. The police have no information as to the clergyman or his family having been interfered with. There is no evidence before the police of the nature indicated in the second paragraph. The reply to the inquiry in the third paragraph is in the negative.

ALLEGED ASSAULTS BY CONSTABLES —CASE OF MR. MYLES O'BRIEN.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Attorney General for Ireland whether he is aware that Mr. Myles O'Brien, of Tipperary, on the evening of the 17th February, when moving on at the command of the police, and while his back was turned, received a blow on the neck from one of the policemen which felled him to the ground, and was kicked by them when rising to his feet; that Mr. O'Brien at once accused the policemen, and proceeded to the barracks, but was refused the names of the men by the head constables in charge; that District Inspector Gamble also refused their names, but offered to parade all the men, which being done, Mr. O'Brien identified his assailants; and that Mr. Meldon, R.M., refused to issue an order for summonses against the policemen identified by Mr. O'Brien; and whether the police and resident magistrates acted legally in refusing this information to a man who was seeking redress from the police and authorities in Ireland?

MR. MADDEN: I am informed that the facts are not accurately represented in the question. The District Inspector courted the fullest inquiry. He paraded all the men who had been on duty at the hour Mr. O'Brien said he had been assaulted, and on his pointing out two men the District Inspector gave him their names in writing. Some days afterwards Mr. O'Brien went to Mr. Meldon, R.M., who referred him to Colonel Caddell, R.M., who was resident in the town, and who was probably conversant with the facts, and

therefore the proper person to consider the necessity, or otherwise, for granting a summons.

MR. J. O'CONNOR: May I ask why a summons was refused, and whether police instructions were issued to baton the people without provocation; also whether Mr. O'Brien was speaking to two persons on business only when he was assaulted in the manner described?

MR. MADDEN: No instructions were issued to the police to baton the people. I know nothing of the circumstances beyond what I have stated, and if the hon. Member desires further information he must give notice.

MR. W. REDMOND (Fermanagh, N.): If instructions were not issued to the police, how is it that they did baton the people?

MR. J. O'CONNOR: I beg to give notice that owing to the very unsatisfactory answer I have received I will put down another question for to-morrow.

GREYSTONES HARBOUR.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary to the Treasury what steps will be taken to improve the condition of Greystones Harbour?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am sorry that I cannot give a definite answer to the question at present. Inquiry is now being made, and until I receive a reply I am unable to answer the question.

RAILWAY FROM LONDONDERRY TO CARNDONAGH.

MR. JUSTIN M'CARTHY: I beg to ask the Secretary to the Treasury whether he is aware that the Commissioners under the Light Railways Act of 1889, at the inquiry held at Carndonagh in the County of Donegal, refused to hear evidence in favour of a line of railway from Londonderry to Carndonagh and Moville, on the ground that it was not scheduled, and that they could only take evidence with regard to a line or lines between the scheduled termini of Carndonagh and Buncrana; whether such refusal was not a violation of the provisions of the Act and the prescribed procedure thereunder, with the result that the promoters of the line from Derry to Carndonagh and Moville were prevented from showing the superior advantages of such proposed line over the scheduled line from Carndonagh to Buncrana; whether all the local witnesses examined in favour of the scheduled line admitted in cross-examination that the direct line from Carndonagh to Londonderry would be preferable to the line by Buncrana; and whether the proposed line from Londonderry to Carndonagh and Moville will be now scheduled; and, pending the investigation into the merits thereof, the consideration of the scheduled line from Carndonagh to Buncrana will be postponed?

*MR. JACKSON: In reply to paragraphs one and two of the hon. Member's question, I have to state that the Inspectors on the first day of the inquiry declined to receive the evidence in question under a misapprehension. The Board of Works' attention having been called to this ruling they instructed the Inspectors to receive the evidence, and they did so at their subsequent sitting. In reference to paragraph three, considerable evidence was given in favour of the Moville Line; and as to paragraph four, the Board of Works are required by statute to make a Report on the Buncrana and Carndonagh Line, which was scheduled in the Order in Council in November last, and their Report will be brought before the Grand Jury, with whom it rests either to accept or reject the line. The Moville and Carndonagh Line was not scheduled in the Order in Council, and cannot come before the Grand Jury under the Act of 1889.

TULLAMORE GAOL.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the Attorney General for Ireland whether the following extract from the *Midland Tribune* and the Report of Dr. Moorehead are correct:—

"Dr. Moorehead, J.P., continues to visit the political prisoners in Tullamore Gaol, and finds them in fairly good health, notwithstanding the hardships to which they are subjected, and one of the worst is the system of isolation pursued with regard to them. This is to such an extent that from one end of the week to the other they can never see one another's faces:"

"February 21st, 1890, visited the Gaol and Crimes Act prisoners, Rev. Father O'Dwyer, Messrs. R. J. Gordon, and P. A. M'Hugh. Mr. M'Hugh complained of the system of isolation pursued with regard to him, and demanded as a right to exercise with prisoners of his own

class. So far as I understand, the isolation principle in prison discipline is only applied to the worst malefactors in convict prisons, and it is a punishment not contemplated by or implied in the Criminal Law and Procedure (Ireland) Act.

"G. A. MOOREHEAD, J.P."

And whether such isolation shall continue to be applied to prisoners under this Act?

MR. MADDEN: I must ask the hon. Member to postpone the question. I have not yet received a Report.

THE SLIGO ASSIZES.

MR. PETER M'DONALD: I beg to ask the Attorney General for Ireland whether his attention has been drawn to the address of the Judge, Mr. Justice Johnson, to the Grand Jury on the occasion of the opening of the Commission for the County Sligo on the 7th inst., in which he congratulated them

"On the fact that there was only one case (which had been adjourned from the Winter Assizes) to go before them,"

and said that—

"It was a very satisfactory condition for such a large county;"

and whether, in view of this expression of opinion from the learned Judge, he will explain the reasons why the county town was proclaimed some two months ago under the Criminal Law and Procedure (Ireland) Act?

MR. MADDEN: I understand that it is the case that the learned Judge at Assizes called attention to the satisfactory condition of the County Sligo. The town of Sligo was proclaimed under the Criminal Law and Procedure (Ireland) Act, 1877, with a view to put down certain intimidation with regard to the taking of evicted farms. That proclamation was subsequently removed on February 10, 1890.

LIGHT RAILWAY FROM GALWAY TO CLIFDEN.

MR. CLANCY (Dublin Co., N.): I beg to ask the Secretary to the Treasury whether the scheme approved for a light railway from Galway to Clifden was designed by Mr. Price, C.E.; whether Mr. Price, C.E., is, or was, consulting engineer for an English Syndicate promoting light railways in Ireland, including the one selected in Galway; whether the plans for the adopted Galway scheme were lodged by Mr. Price, or their accuracy sworn to by him or by any one who had actually made the necessary surveys; and whether the engineers, who are to certify to the progress of the work for the purpose of obtaining the public money to be given for the construction of the line, are to be paid by the promoters of the line, one of whom is proposed contractor? I have also to ask the hon. Gentleman whether it is a fact that of the four competing schemes for a light railway from Galway to Clifden, the one reported on favourably and adopted by the Board of Works is that the plans of which were made and lodged by Mr. Price, C.E., or by other persons acting under his instructions; whether Mr. Barton, C.E., was one of those who reported favourably on Mr. Price's scheme; and whether, while Mr. Barton was reporting favourably on Mr. Price's Galway scheme, Mr. Price was one of those who reported favourably on Mr. Barton's scheme for a light railway in Donegal?

*MR. JACKSON: I am informed that Mr. John Price originally laid out the line referred to in 1885 when the scheme was passed by the Grand Jury under the Act of 1883; but it was thrown out by the Privy Council. Mr. Price was consulting engineer to the English Company mentioned; but he retired from that position before the public inquiry was held. The plans for the adopted scheme were lodged in the hands of Mr. Townsend, C.E., and Mr. Joyce, who gave evidence. With reference to the third paragraph in the first question the appointment of engineers to certify to the progress of the work will, of course, rest with the Board of Works. No steps have been taken, and, therefore, I am not able to say who will be appointed engineers. I am able to say, however, that inquiries into the merits of the schemes under the Light Railways Act, 1889, were held, and that full opportunity was given for bringing out the merits or defects of the scheme.

MR. CLANCY: Does the hon. Gentleman admit that Mr. Barton reported in favour of Mr. Price's scheme, and that Mr. Price reported in favour of Mr. Barton's?

*MR. JACKSON: I do not know that that is a proper definition of what occurred; but I have already informed

the House in answer to a question put to me some time ago, that it is a fact that Mr. Barton was a member of the Court which inquired into the merits of Mr. Price's scheme, and that Mr. Price was a member of the Court which inquired into the scheme presented by Mr. Barton. But, in each case, these gentlemen were only members of the Court, and it was the Court which decided. I have no doubt that the merits of all the schemes presented were fully discussed.

MR. CLANCY: Is it not the case that Mr. Price was the only engineer in the one Court, and Mr. Barton the only engineer in the other?

*MR. JACKSON: I shall not answer that question.

MR. T. M. HEALY (Longford, N.): Does the hon. Gentleman consider that such a system as he has indicated is satisfactory?

*MR. JACKSON: I believe that every care was taken by the Court to afford every opportunity for a searching inquiry to be made, and that the result was satisfactory.

MR. T. M. HEALY: Will the hon. Gentleman say how much money is to be given to Mr. Price under Mr. Barton's Report, and how much is to be given to Mr. Barton under Mr. Price's Report?

*MR. JACKSON: I have no knowledge.

MR. CLANCY: How long has Mr. Price ceased to be the consulting engineer of the English Syndicate?

*MR. JACKSON: I do not know.

PRISON TREATMENT OF JOHN DALY.

MR. T. M. HEALY: I beg to ask the Secretary of State for the Home Department if he can state the result of his further inquiries into the treatment of Mr. John Daly since the visit of Pigott to Chatham Prison, and if any Member of the House applies to him for permission to see Mr. Daly, to inquire into his treatment, will it be granted?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The visitors have not yet concluded their investigation, or reported to me. In answer to the second paragraph of the hon. Gentleman's question, I must refer him to the reply I gave to a similar inquiry on February 18th last.

MR. JOHNSTON: Was not the John Daly referred to imprisoned for attempting to blow up the House of Commons with dynamite?

MR. T. M. HEALY: If a man was in prison for attempting to blow up the House of Commons, that is no reason why he should be treated like a dog. I make a distinct allegation that, since Daly was visited by Pigott and asked to give evidence incriminating Members of the House in the dynamite conspiracy, he has been ill-treated. What I want to know is whether, if I write the right hon. Gentleman a letter requesting leave to see Daly, with a view to investigating the whole matter, he will grant me permission to do so in the same way that Mr. Soames and his agents were admitted into all the gaols in England?

MR. MATTHEWS: No agent of Mr. Soames has been allowed to visit a prison for the purpose of inquiring into a matter of prison discipline. I have already told hon. Members that I have requested the visitors of the prison to make an independent inquiry into the treatment of Daly.

MR. T. M. HEALY: Would application made by me to visit Daly be granted or refused?

MR. MATTHEWS: That would depend upon whether or not Daly was entitled to a visit. If the hon. Member wishes to investigate matters of prison discipline he would not be allowed to do so.

MR. SEXTON (Belfast, W.): Considering the length of time that has elapsed since the prison officials were charged with attempting to poison Daly by administering belladonna, will the Home Secretary take steps to expedite the day on which the Report of the visitors will be received?

MR. MATTHEWS: I cannot name a day; but I have requested the visitors to make the inquiry with reasonable speed. I am unwilling to interfere in an inquiry which I desire to be independent.

MR. CAMPBELL BANNERMAN (Stirling Burghs): Can the right hon. Gentleman state who the visitors are?

MR. MATTHEWS: The Chairman of the visitors is the County Court Judge of the district.

MR. T. M. HEALY: Have the Government admitted that this convict had doses of belladonna administered to him in excess; and is the First Lord of the Treasury aware that a meeting called at

Limerick on Sunday to protest against the treatment of Daly has been proclaimed?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have no knowledge of the circumstance; but the Attorney General for Ireland tells me that it is not the case.

MR. SEXTON: I will raise the question on the Vote on Account, unless the Report is issued before that time.

SECRET INQUIRIES.

MR. GILL (Louth, S.): I beg to ask the Attorney General for Ireland whether he is aware that Mr. M'Dermott, a recently evicted tenant on the Clanricarde Estate, now in Galway Gaol, who has been kept in prison eight weeks on the ground of declining to give evidence before a secret inquiry, and who has been brought once a week during these eight weeks under a heavy escort from Galway to Ballinasloe, a distance of 40 miles, and on each occasion remanded, has on each occasion expressed his willingness to answer any question put him in open Court; and what, under these circumstances, is the explanation of his continued imprisonment?

*MR. MADDEN: I am informed that it is the case that M'Dermott, having refused to give evidence at an inquiry held at Mountshannon and Ballinasloe, has been re-committed to the county prison, as stated in the question, for continuing that refusal. The inquiry is being held under Section 6 of the Explosives Substances Act, 1883, in connection with an alleged attempt to blow up the police and other persons present at evictions on the Clanricarde Estate. His imprisonment has been due to his refusal to comply with the requirements of the Statute.

MR. T. M. HEALY: Was there any reason why the inquiry should be carried on under the Secret Clause of the Crimes Act; and, if so, is it legal to inflict more than a month's inprisonment?

*MR. MADDEN: I cannot answer that question off-hand without referring to the section.

MR. SHAW LEFEVRE (Bradford, Central): Is there anything in the Act which justifies a secret inquiry in a case of this kind?

*MR. MADDEN: If the right hon. Gentleman will refer to the Act, which is one applying to the entire of the United Kingdom, he will find the section under which the inquiry was held.

MR. SHAW LEFEVRE: Are not the provisions of the Crimes Act more stringent than those of the General Criminal Law?

*MR. MADDEN: The provisions of the two Acts are in this respect very similar.

MR. GILL: Is it true that Mr. M'Dermott has offered to answer any question that may be put to him in open Court?

*MR. MADDEN: Whether that is true or not I do not know; but it is highly irrelevant, the object of the inquiry being to ascertain if there was sufficient evidence to justify a prosecution in open Court.

MR. GILL: I beg to give notice that on the earliest opportunity I will call attention to this matter.

LETTERKENNY POST OFFICE.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Postmaster General whether his attention has been called to the inconvenient character and inadequate accommodation of the existing post office at Letterkenny; and whether he will take early steps to provide an office suitable to the requirements of the place?

*MR. RAIKES: I have received a communication from the Town Commissioners on the subject. Owing to the growth of business since 1887, it is now thought that additional accommodation should be provided; and as the appointment is vacant, the new Postmaster will be required to do this either by enlarging the present premises, or obtaining others. It is not considered that the Department would be warranted in undertaking to erect a special building for the purpose.

CAPTAIN R. T. RYE.

DR. TANNER (Cork, Mid): I beg to ask the Attorney General for Ireland if it is a fact that, on Wednesday evening last the 5th instant, Captain Richard Tonson Rye, D.L., of Rye Court, Crookstown, County Cork, deliberately fired two shots at, and wounded, a labourer and tenant of his named Corcoran, who was taking a short cut home across a field in

the demesne; whether he is aware that Corcoran has deposed that Captain Rye exclaimed, on seeing Corcoran, "By—— I'll shoot you," and fired twice as alleged; whether Captain Rye is still at large, and has he been deprived of his firearms; and whether any steps will be taken to bring Captain Rye to justice for the alleged outrage? I also wish to know if it is a fact that the labourer Corcoran, who was shot by Captain Rye, D.L., was visited twice by the police from Castlemore barrack; if it is true that District Inspector St. George, of Ballincollig, advised Corcoran to settle quietly with Captain Rye; whether it is correct, as stated, that Corcoran had received 12 grains of shot in the back and knee on the occasion in question; and whether any police inquiry will be made into the action of the District Inspector?

MR. MADDEN: The Constabulary authorities report that District Inspector St. George visited the man to make the usual inquiries in regard to the alleged firing at him. The District Inspector says it is not the case that he advised the man to settle quietly with Captain Rye. Corcoran from time to time declined to make an information, but has finally consented to do so, and the matter will be investigated at Petty Sessions on the 18th inst.

DR. TANNER: Is it not the fact that this man was fired at twice by Captain Rye, a Deputy Lieutenant of the County of Cork? Has he been deprived of the right to use firearms; and is not this the second occasion on which he has so offended?

MR. MADDEN: I must refrain from entering into details, as the matter is the subject of inquiry by the Petty Sessions.

DR. TANNER: Will the right hon. Gentleman recommend something in the nature of a close time for the tenant farmers?

[No reply.]

CHARGE AGAINST AN EMERGENCY MAN.

DR. TANNER: I beg to ask the Attorney General for Ireland whether an emergency man named Heslip, of Towermore, was recently summoned by the police at Conna Petty Sessions, under "The Peace Preservation Act, 1881," for having a gun without a license, and for firing on a pack of hounds that were running after a hare near the evicted farm Heslip was in charge of, and was fined 5s. and costs; and whether it is true that after the conviction the magistrates granted him a license on the recommendation of Mr. Ball, D.I., who had acted as prosecutor?

MR. MADDEN: The Constabulary authorities report that Heslip was fined for using his employer's gun without a license. He fired the shots not on the pack of hounds but to frighten them from the field under his charge, where there were a number of sheep belonging to his employer. It is not the case that he was granted a license after conviction, nor did he ask for one.

SCHOOL FEES

MR. CRILLY (Mayo, N.): I beg to ask the Attorney General for Ireland what space of time elapses in Ireland from the date on which a results' examination is held until the payment of fees arising therefrom is made to the teachers concerned, assuming the accuracy of school accounts and all statistics prepared by the teacher for such examination; whether there are any cases in District 21 at the present date, where payment of results fees has been unduly deferred without sufficient cause; and whether directions will be given to the head of the Education Department in Ireland to cause payment of these results' fees to be made to those concerned within the space of a month at most after the date on which the examination has been held?

MR. MADDEN: The Commissioners of National Education report that, as a rule, results' fees are paid about a month from the date of the results' examination of a school. The Commissioners state that there are no cases in District 21 in which the payment of results' fees has been unduly deferred without sufficient cause.

MR. JOHN SLATTERY.

MR. T. M. HEALY: I beg to ask the Attorney General for Ireland is it true that a letter written from Cork Gaol by Mr. John Slattery, as President of the South of Ireland Pig Buyers' Association, in favour of the proposed Cork, Fermoy, and Wexford Railway, was stopped by the Governor, and its publication disallowed

whether Mr. Slattery, being a bail prisoner, is entitled to publish such letters; and whether Mr. Davitt, Mr. Healy, and other bail prisoners in Richmond Gaol in 1882 were permitted to publish letters on topics far more controversial?

*MR. MADDEN: I must ask the hon. and learned Gentleman to postpone the question until to-morrow.

THE M'SWEENEY ESTATE.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that 40 evictions on the estate of Mr. Stewart, and six evictions on the M'Sweeney Estate, in Cloughanedy, Gweedore, and Falcarragh, in the County of Donegal, are to be carried out on or before next Friday, 14th March; and whether, having regard to the fact that negotiations for a settlement are actually pending between the solicitor for the estate and Father M'Fadden, and that the tenants have offered to pay rent for a year and a-half on having a clear discharge of all arrears up to November, 1889, their extreme poverty, and the prevalence of a severe form of influenza in the district, the forces of the Crown will be employed in the execution of these evictions?

*MR. MADDEN: As far as can be ascertained it is not the case that the evictions referred to in the question will be carried out before the end of the week.

HOURS OF WORK.

MR. BURT (Morpeth): I beg to ask the Secretary of State for the Home Department whether his attention has been called to complaints that the firm of Harmer and Company, wholesale tailors, clothiers, &c., of Norwich, are working their *employés*, including women and girls, until 9.30 p.m.; whether, if the facts are correctly stated, the firm have applied to and obtained the sanction of the Inspector for the district for this extension of time; and what are the reasons for the extension if it has been granted?

MR. MATTHEWS: I am informed by the Chief Inspector of Factories that no complaints have been received of illegal working of young women and children by the firm in question. The firm is working overtime within the limits of the exception in the Factory Act relating to the making up of articles of wearing apparel.

THE LICENSING ACT.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I beg to ask the Secretary of State for the Home Department whether he is aware that Sir William Grantham, in trying a public-house case at the Durham Assizes, declared that "the practice of one man holding a number of licences was quite contrary to the spirit of the Licensing Act;" and whether he will propose any legislation by which the letter of the Act may be brought into harmony with its spirit?

MR. MATTHEWS: I am informed by the learned Judge that the circumstances of a serious assault at a public-house in the absence of the publican, who was away at another of his houses in the town, led him to make the observation quoted. I am not prepared to propose legislation in the direction indicated by the hon. Baronet. It is a matter which may well be left to the discretion of the Justices, who are acquainted with local circumstances, and in many districts do make it a rule that the publican shall reside on the premises, and therefore cannot be licensed in respect of more than one house.

THE STRANDING OF THE *QUETTA*.

MR. GOURLEY (Sunderland): I beg to ask the President of the Board of Trade if his attention has been called to the melancholy loss of life following the recent stranding of the steamer *Quetta* in the Torres Straits, and which is attributed to the non-marking of the rocks upon the Admiralty chart where the vessel struck; whether he has communicated with the Admiralty upon the alleged omission, with a view to an immediate re-survey of the Straits; and whether it is his intention to appoint a Select Committee to inquire into and report upon what alterations are necessary for safe navigation in the construction of bulkheads, alike in ships of the mercantile marine and Her Majesty's Navy?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): No official information of the wreck of the *Quetta* has so far reached

the Board of Trade, and consequently no communication of the kind indicated has been made to the Admiralty. It appears from certain newspaper reports referring to the wreck that the Local Government have instituted a search for the rock upon which the vessel is alleged to have struck. The Board of Trade have already appointed a Special Committee of experts to consider and report upon the question of the efficient sub-division of merchant ships by means of water-tight bulkheads, with a view to contribute to the safety of life at sea. The hon. Member for North Belfast will act as Chairman of the Committee.

MARKET TOLLS.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Attorney General for Ireland whether his attention has been called to the Report of the Commission appointed by the present Government to inquire (amongst other things) as to the collection of "tolls" or "custom" on live stock in the different towns throughout Ireland; that it is illegal to charge these "tolls" or "customs" to the purchaser; and that the proper time to collect the tolls is when the animals are going in and not when they are coming out of the market; and whether the Government intend to act on the Report of the Commission, and see that the legal method is carried out?

MR. MADDEN: I understand that the Royal Commission on Market Rights and Tolls have not yet made a Report embodying recommendations in regard to the matters of its inquiry. Such recommendations when received will, of course, have the careful consideration of Her Majesty's Government.

MR. BRADLAUGH (Northampton): Will the President of the Local Government Board say whether there is any probability of the Commission on Market Rights reporting early?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have no information on the subject; but I will make inquiry.

COMMISSIONERS OF INCOME TAX.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Chancellor of the Exchequer whether he can state the number and the names of the districts in which additional Commissioners of Income Tax have been appointed by the General Commissioners, and are now acting, under the 5th and 6th Vic. c. 35?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I believe that the information could be given, but it would entail considerable trouble to collect. If, however, the hon. Member desires information about particular districts, and will communicate with me, I will do my best to meet his wishes.

MR. COBB: Can the right hon. Gentleman give me the approximate number of cases in which additional Commissioners have been appointed? I understand that they are very few.

*MR. GOSCHEN: I have not got the information now; but I will make inquiry.

LICENCE DUTIES.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Chancellor of the Exchequer whether, in view of the fact that, if ratepayers in a county take out licences for dogs, guns, carriages, armorial bearings, and male servants at post offices out of the county, the proceeds of these licences will be lost to the county, some arrangement cannot be made by which the proceeds of licences so taken out shall be allocated to the county in which the person paying for the licences resides?

*MR. GOSCHEN: I must point out to the hon. Member that the question is as broad as it is long. If a county suffers by some of its ratepayers taking out licences in another county, it may, on the other hand, gain by the ratepayers of other counties taking out licences within its limits. The fact, moreover, that people are often ratepayers in two or even more counties would operate against the method proposed in the question.

MR. DIXON-HARTLAND: Is the right hon. Gentleman prepared to receive information on the subject? The matter is one which presses very hardly on the County of Middlesex, as most of the licences are taken out in London.

*MR. GOSCHEN: Of course, I shall be very glad to recieve information; but I cannot accept the reason given by the hon. Gentleman.

RE-ASSESSMENT OF METROPOLITAN PROPERTY.

MR. DIXON-HARTLAND: I beg to ask the President of the Local Government Board whether, in view of the re-assessment of property in the Metropolis to be made this year, he will take any steps, and, if so, what, to prevent the quinquennial revision adding not only to the annual payments of the consumer, but also enormously to the capital sum at which the companies must eventually be purchased by the ratepayers?

*MR. RITCHIE: No action on my part can affect the powers of the Water Companies in the matter referred to.

EDUCATIONAL ENDOWMENTS IN SCOTLAND.

MR. HUGH ELLIOT (Ayrshire, N.): I beg to ask the Lord Advocate whether he is aware that there are at present lying upon the Table of the House several schemes of the Educational Endowents (Scotland) Commmissioners upon which the judgment of the House will be taken; and whether, having regard to the difficulty experienced by the House of giving such schemes due and impartial consideration, the Government can see its way to accept the Motion now upon the Notice Paper for referring these schemes, and any other schemes of the Educational Endowments (Scotland) Commissioners which may in future be laid before the House, to a Select Committee?

*MR. J. P. B. ROBERTSON: I am aware that certain schemes are now upon the Table of the House. These schemes will, if not disapproved, become ripe for Her Majesty's approval after the time prescribed by the Educational Endowments Act; but it is open to any hon. Member, within the prescribed time, to take the opinion of the House thereon. I conceive that it is open to the House to adopt any means which it may judge expedient for forming an opinion upon the merits of any particular scheme on which it may be asked to judge. But the Government is not aware of anything special in the schemes now before the House which would render it advisable in regard to them to adopt the course now suggested, or to vary the usual course according to which they are discussed by the House itself.

DISTRICT REGISTRARS.

MR. OLDROYD (Dewsbury): I beg to ask the President of the Local Government Board for what reason the Registrar General has forbidden the District Registrars to supply the local newspapers in their respective districts with the lists of deaths; whether, and for what reason, the same restriction has been put upon the supply of lists of marriages which take place in the offices of the Registrars or in Nonconformist places of worship; and whether the same restrictions are put upon clergymen of the Established Church in their capacity as Registrars?

*MR. RITCHIE: As I have stated previously in reply to similar questions, Registrars are, and always have been, forbidden to allow to be published any statement of facts respecting the registration of deaths. The reason given by the Registrar General for this rule is that, where a statutory duty is imposed on persons to furnish information for official purposes, they have ground for complaint if such information is communicated to the local Press. The same restriction is put upon Superintendent Registrars as regards the publication of marriages. Over clergymen of the Established Church the Registrar General has no authority. I may add that I entirely approve of the rule, and I find that where it has been violated complaints have been made on the subject by persons affected.

NEWFOUNDLAND.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as reported to have been stated by the French Minister, that the French Government suggested the reference of the matters in dispute in Newfoundland to arbitration, but that the British Government declined that suggestion; and whether the Government have reason to hope for an immediate settlement by negotiation of all these disputes with the assent of the Newfoundland authorities; or, if not, whether, looking to the danger of local collisions, Her Majesty's Government will, if possible, refer the disputes to the arbitration of qualified juridical persons?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The answer to the first question is, no, and I do not find it so reported. In answer to the second, yes, at least an early settlement.

THE SOUTH AFRICAN COMPANY.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government propose to present any Papers regarding the grant of a Charter to the South African Company, the transfer to them of rights or claims in South Africa, and the arrangements by which the British Treasury is to be protected from expenditure in a country of which the Company are to obtain the profits; and whether a Commissioner from Her Majesty has been sent to Lobengula, King of Matabeleland; and, if so, what are his instructions?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The Papers presented last month, which I am informed will be distributed immediately, contain full information respecting the Charter of the British South African Company, the message sent to Lobengula, and other matters connected with Matabeleland and the adjacent territories. The correspondence will also show that the British South African Company, although it has not yet commenced to receive profits from its operations, has already relieved Her Majesty's Treasury from expenditure by undertaking a very heavy outlay on telegraphs, police, and railway construction.

DR. CLARK (Caithness): The right hon. Gentleman has not answered the last part of the question.

BARON H. DE WORMS: I said that the information would be found in the Papers.

DR. CLARK: Was a Commissioner sent to Lobengula?

BARON H. DE WORMS: Certainly; and the message he conveyed will be found in the Papers.

THE CUSTOMS DEPARTMENT.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary to the Treasury whether, considering the long periods of service of the writers or copyists now being dismissed from the Out-door Department of Customs, who have for the whole time of their service been employed on permanent work, and their dismissal being from causes for which they are not responsible, it would be practicable to transfer them direct to some other Government Departments requiring the services of this class of *employés*, and where they, whilst making no claim to permanency of office, might reasonably expect that their employment would be of a lasting character?

*MR. JACKSON: I have no reason to think that there will be any difficulty in providing work in other Departments for the copyists referred to.

MR. J. ROWLANDS: Is the hon. Member aware that these men, after 10 or 12 years' service, have temporary employment given to them and lose the time which intervenes between one employment and another?

*MR. JACKSON: I am sorry that the hon. Member should press this question. I have said that I am not prepared to give a pledge; but, as a matter of fact, I have asked the Department to do everything the hon. Member asks. I have no doubt that it will be done; but I cannot allow it to be drawn into a precedent, or that the Government shall be pledged to find permanent employment for men who are only engaged temporarily.

COUNTY BOROUGHS.

MR. CONWAY (Leitrim, N.): I beg to ask the President of the Local Government Board whether it is the fact that from the mode of allotment the County Boroughs gain considerably more revenue than they are equitably entitled to at the expense of the County Councils; and, if so, on what basis are the establishment, gun, game, and dog licences allocated?

*MR. RITCHIE: Section 32 of the Local Government Act provides that an equitable adjustment shall be made respecting the distribution of the proceeds of the Local Taxation Licences and Probate Duty grant between each County Borough and the county in which, for the purposes of the Act, it is to be deemed to be situate. This adjustment may be made at any time before the end of this month by agreement, and in default of agreement has to be made by

the Local Government Act Commissioners. Pending this adjustment the interim payments out of the Local Taxation Account have been determined by the Commissioners, in most cases in pursuance of arrangements made by the Counties and County Boroughs themselves; but these payments will be subject to revision after the final adjustment has been arrived at.

THE MINING ACCIDENTS IN WALES.

MR. KENYON (Shropshire, Newport): I beg to ask the Secretary of State for the Home Department whether, having regard to the two terrible disasters in the mining districts of South Wales, and the loss of life thereby incurred, he is able to say how far the recommendations of the Royal Commission on Accidents in Mines have been put in force; whether the staff of Her Majesty's Inspectors of Mines is sufficient to thoroughly examine and report upon the condition of mines, especially those known as dangerous mines; and whether he can suggest any further instructions to the existing staff, with the view, if possible, of obviating these terrible catastrophes?

MR. MATTHEWS: I cannot within the necessary limits of an answer fully state how far the recommendations of the Royal Commission have been adopted; but my hon. Friend is aware that they were for the most part embodied in the Coal Mines Regulation Act, 1887, and are now in force throughout the country. I have no reason to believe that the present staff of Mines Inspectors is insufficient. All that the Government can do by the machinery of special rules for particular collieries, by prosecutions for breach of rules, and by suggestion and advice has been done to avert these disastrous explosions. The subject is constantly under my anxious consideration, and I shall gladly welcome any suggestion with the view of giving greater security to our mining population.

MR. SAMUEL EVANS (Glamorgan, Mid): I beg to ask the right hon. Gentleman whether he can state the number of lives lost in the terrible colliery disaster at the Morfa Colliery, Port Talbot, and how many bodies have been recovered; whether he can give information to the House as to the cause of the explosion; whether his attention has been called to the fact that Daniel Brounsell, one of the persons who volunteered his services as an explorer, has met with his death in the work of exploration; and whether he can do anything to obtain pecuniary assistance for the relatives of the deceased?

MR. MATTHEWS: According to the last information I have received the number of lives lost is, I regret to say, 87. I am not yet able to state the cause of the explosion. That will be matter for subsequent and most careful investigation. It is the fact that the explorer Brounsell is dead. In disasters of this kind noble efforts to rescue are made by volunteers; but there is no fund out of which the Government can afford assistance to the families of those who perish. Pecuniary help can only be obtained through the charity of individuals, and I hope it may be forthcoming in deserving cases of this nature.

MR. S. EVANS: Has it come to the knowledge of the right hon. Gentleman that the manager or overlooker had an open lamp with him at the time of the explosion?

MR. MATTHEWS: I have seen that statement in the newspapers; but I have received no official information on the point.

MR. FENWICK (Northumberland, Wansbeck): Can the right hon. Gentleman state the character of the lamps used in these collieries? Were they safety lamps?

MR. MATTHEWS: They were safety lamps; but I cannot specify the class.

THE ALLEGED TREACHERY AT TEL-EL-KEBIR.

MR. JUSTIN HUNTLY M'CARTHY (Newry): I beg to ask the Secretary of State for War whether Sergeant A. V. Palmer has been asked by the authorities for explanation of the statements contained in his article in the *Nineteenth Century* for March; whether Sergeant A. V. Palmer, in reply, has declared that he would do nothing for Lord Wolseley or the War Office, but would do whatever General Hamley bade him; and whether one of the non-commissioned officers whom Sergeant Palmer charges with having killed a comrade in action was named Rogers?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I have no knowledge of the

statements in the question of the hon. Member, and as Mr. Palmer is now a civilian, I have no control over him. But I have seen, as no doubt the hon. Member has also, the very explicit denials of Mr. Palmer's narrative, which have been furnished to the Press by officers and non-commissioned officers of the Cameron Highlanders, who are in a position to know the facts accurately. I should have thought that they constituted in themselves a sufficient answer to his article.

LICENSED HOUSES IN BRITISH INDIA.

Mr. MARK STEWART (Kirkcudbrightshire): I beg to ask the Under Secretary of State for India if he can inform the House of the number of shops or houses in each province of British India licensed for the retail sale of opium, ganja, and bhang respectively, and in how many of these opium is allowed to be smoked or otherwise consumed on the premises; also how many fresh licenses of each description have been issued during the last financial year?

The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): The figures for which the hon. Member asks are contained in a Return which is too lengthy to read to the House, but I shall be glad to show them to him.

Mr. M. STEWART: What is the answer of the right hon. Gentleman to the second part of the question?

Sir J. GORST: The hon. Member will find that information also in the Return which I am prepared to show to him.

THE DOG LICENCE DUTY.

Mr. MARK STEWART (Kirkcudbright): I beg to ask the Chancellor of the Exchequer whether he will exempt cattle and sheep drovers, and cattle and sheep dealers in the occupation of land, from the dog license duty, and place them in the same category as shepherds, farmers, and occupiers of sheep farms?

*Mr. GOSCHEN: The present exemptions in favour of shepherds' and farmers' dogs were made on behalf of dogs who were understood not only to be employed, but to be kept on the farms. It would not be easy to maintain the last principle in the case of drovers' dogs, and I fear I cannot re-open the question of exemption, as experience shows that exemptions only lead to further exemptions and to the multiplication of grievances.

CONSTITUTION HILL.

Lord HENRY BRUCE (Wiltshire, Chippenham): I beg to ask the First Commissioner of Works if he can give the House any reason why Constitution Hill should not be lighted up at night with lamps on both sides of the road, like any other public thoroughfare?

The FIRST COMMISSIONER of WORKS (Mr. Plunket, University of Dublin): The question of the better lighting of Constitution Hill, now that it is thrown open to the public, is under consideration, and I hope it will soon be satisfactorily settled.

THE EXCISE SERVICE.

Mr. HAYDEN (Leitrim, S.): I beg to ask the Chancellor of the Exchequer whether he is aware that discontent exists in the excise branch of the Inland Revenue owing to the delay in filling up vacancies in the superior ranks, and also through the retention of many aged and feeble superior officials who are blocking the road to the promotion of younger and more competent men; and whether, on account of the reduction of the number of supervisors, the present staff have to work from 12 to 14 hours per day to keep up the business of the revenue?

*Mr. GOSCHEN: I am not aware of any discontent in the excise service from the cause stated, and no unnecessary delay takes place at any time in filling up vacancies. There are no aged and feeble officials in this Department, nor any persons whose services are not of a character to justify their retention in the interests of the public service. There has been no reduction in the number of supervisors since 1887.

THE CENTRAL TELEGRAPH OFFICE.

Mr. M'CARTAN: I beg to ask the Postmaster General whether the telegraph clerks at the Central Telegraph Office are the only body of officers under his administration who are required to work from eight to twelve hours with no relief for the purpose of obtaining any meal; whether complaints have reached him that the tea which is provided, and the facilities for supper, are frequently

rendered useless owing to the impossibility of partaking of such meals on account of the pressure of work; and whether, under these circumstances, he will now consider the reasonableness of the request for at least half an hour's relief for the purpose of obtaining refreshment? I have also to ask with reference to the two clerks in the Central Telegraph Office promoted over the heads of their seniors, what was the nature of "the diligent inquiry" which was made to ascertain that they were the only clerks possessing the required qualifications; whether this inquiry was conducted on such lines that all clerks claiming to possess the necessary qualifications had an equal chance of winning the promotion; and whether these extra telegraphic appointments are among those described in the Estimates as "Telegraphists"?

*Mr. RAIKES: In no case are Post Office servants, whether telegraphists or others, kept at work for as much as eight hours without being afforded the opportunity of obtaining refreshments; and no such complaints have reached me as those to which the hon. Member refers. To the hon. Member's second question the answer is that the inquiry was addressed, not, ineed, to the telegraphists themselves, who are not, perhaps, the best judges of their own qualifications, but to those who, in my opinion, were the most competent to judge. The persons who fill the two appointments in question are among those who are described in the Estimates as telegraphists.

THE CUSTOMS (WINE DUTY) ACT.

Mr. WATT (Glasgow, Camlachie): I beg to ask the Chancellor of the Exchequer whether he can state the amount of revenue obtained during the six months of the current year on sparkling wines, the value of which does not exceed 30s. per dozen, under the Customs (Wine Duty) Act, 1888; whether the costs of collection have been increased owing to a differential rating; whether the trade are now opposed to an *ad valorem* duty; and whether he is prepared to consider the desirability of applying the surtax, as in the case of other duties, to a specific quantity, instead of an *ad valorem* duty?

Mr. M'Cartan

*Mr. GOSCHEN: With regard to the first question, I hope hon. Members will forgive me if I continue to resist pressure to extract from me a premature revelation of Budget statistics. A slight, though scarcely appreciable, expense is attached to the collection of a differential duty. A portion of the trade, doubtless, dislikes an *ad valorem* duty, but I have to consider the interests, not only of the wine-seller, but also of the wine-consumer. As regards the last question, I am not prepared to make a charge which would bear heavily on cheaper wines. The present arrangement was made expressly for the purpose of not preventing the import of these cheaper sparkling wines, which it was especially desired not to discourage.

MILLINGTON'S CHARITY, WARWICKSHIRE.

Mr. COBB (Warwick, S.E., Rugby): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether he can state the circumstances under which Millington's Charity, at Newbold-on-Avon, Warwickshire, has been lost; whether any and what steps have been taken to recover it; whether the loss is owing to the neglect or default of the vicar and churchwardens; and whether the Charity Commissioners propose to take any and what steps?

Mr. J. W. LOWTHER (Cumberland, Penrith): Millington's Charity at Newbold-on-Avon, Warwickshire, was a rent-charge of 5s. per annum upon certaiu land in the parish of Newbold-upon-Avon. On the death of the owner of the land in 1872 the property was sold in small lots by auction without any notice of the rent-charge. Frequent attempts have been made to recover the sum from various persons, but without avail. The loss seems to be due to the omission by the representatives of the late owner to disclose the existence of the rent-charge, and to the omission by the Trustees to call the attention of the vendors to the existence of the charge. The Charity Commissioners are in communication with the vicar with a view to making further inquiries.

ARMENIA.

Mr. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for Foreign Affairs whether his

attention has been called to a statement contained in the *Manchester Guardian*, of the 3rd instant, with respect to atrocities committed by Turkish soldiers in the Province of Sivas, in Armenia; and whether he has any information relating to the subject?

*SIR J. FERGUSSON: No, Sir; we have not received any information to the effect stated in the hon. Member's question.

INDUSTRIAL CONFERENCE AT MADRID.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if the invitation of the Spanish Government to an Industrial Conference at Madrid has been received; and, in such case, if he can state when it will assemble, and who will represent Great Britain and Ireland thereat?

*SIR M. HICKS BEACH: Yes, Sir, the invitation has been received, and the Conference will assemble on April 1. This country will be represented by the Under Secretary for the Home Department, by Sir. H. Bergne, the Superintendent of the Treaty Department of the Foreign Office, and by Mr. H. Reader Lack, the Comptroller General of Patents.

MR. MUNDELLA: Does the Government intend to send an expert to attend the Conference?

*SIR M. HICKS BEACH: Two of the Gentlemen whom I have named may be considered experts for the purposes of the Conference.

OCEAN PENNY POSTAGE.

MR. WATT: I beg to ask the Postmaster General whether his attention has been called to a statement made in a paper read before the Society of Arts on "Ocean Penny Postage," that a saving of one to two days only is effected in letters despatched "*viâ* Brindisi" to Australia; and whether, as a matter of fact, the saving effected is from seven to eight days, as compared with the ocean route?

MR. HENNIKER HEATON:-Before the right hon. Gentleman answers that question, I beg to ask if he is aware that the hon. Member for Glasgow is quoting words from a paper never read before the Society of Arts? I should have been glad to supply him with a correct version if he had done me the courtesy of communicating with me and stating that he intended to ask this question. Arising out of this question, I should like to ask the Postmaster General whether the hon. Member for Glasgow has omitted the words "probably the more important class of business letters would still be sent by this (the Brindisi) route;" and whether the Postmaster General is aware that the fast mail steamers from Australia have repeatedly completed the all-sea voyage to England in as short a period as is allowed by contract by the Brindisi route?

*MR. RAIKES: In regard to the last question of the hon. Member, it is a fact that mail steamers occasionally arrive as stated. I cannot see the relevance of the second question to the one before the House. In reply to the hon. Member for Glasgow, I may say that I do not consider myself bound at this moment to correct any or every statement in the paper on "Ocean Penny Postage" referred to by the hon. Gentleman, but I may say that if any statement is therein made that a saving of one to two days only is effected by sending mails to Australia *viâ* Brindisi, such statement is altogether erroneous. As a matter of fact, the saving effected as compared with the all-sea route is from seven to eight days. The vessels taking up the mails at Brindisi leave London on Thursday or Friday of the week before the mails leave London by the Brindisi route.

THE NAVAL DEFENCE ACT.

MR. SHAW LEFEVRE: I beg to ask the First Lord of the Admiralty whether he can state what amount it is now estimated will be expended during the present financial year on ships and armaments out of the Naval Defence Account, as provided by the Naval Defence Act of last year, and what amount will be expended in the coming financial year; and what amount it is estimated will be expended within the current year on ships for the Australian squadron under the Imperial Defence Act of 1888, and how much it is estimated will be expended on the same ships in the coming year?

LORD G. HAMILTON: It is estimated that the expenditure out of the Naval Defence Account, as provided by the Naval Defence Act of last year, from

April 1, 1889, to March 31, 1890, will be—hulls and machinery, £3,158,253; armament, £600,000; and for the financial year 1890-1 £6,486,741, and £1,700,000 respectively. The estimated expenditure on ships for the Australian Squadron, under the Imperial Defence Act from April 1, 1889, to March 31, 1890, is, for hulls and machinery, £384,024, and for armament £27,500; and for the financial year 1890-91 £119,516 and £60,277 respectively.

THE IMPERIAL DEFENCE ACT.

MR. SHAW LEFEVRE: I beg to ask the Secretary of State for War whether he can state the estimated amount which will be expended within the present financial year under the Second Schedule of "The Imperial Defence Act, 1888," and also the amount which it is estimated will be expended in the coming financial year?

*MR. E. STANHOPE: The expenditure during the current financial year under the Second Schedule of the Imperial Defence Act, 1888, will have been £360,000 for works and £250,000 for armaments, together £610,000. For 1890-91 the anticipated expenditure on armaments is £450,000; that on works cannot yet be stated. I hope to state the expenditure for works at a somewhat later date.

FOOT AND MOUTH DISEASE IN SCHLESWIG-HOLSTEIN.

MR. CHARLES DARLING: I beg to ask the President of the Board of Agriculture whether he has received any information as to an outbreak of foot and mouth disease having occurred in Schleswig-Holstein?

*MR. CHAPLIN: Yes, Sir; I regret to say that we have received information of an outbreak of foot and mouth disease in Schleswig-Holstein. We received a telegram from the English Consul at Hamburg to that effect on March 7th. The outbreak occurred at Schnelsen, Pinneberg, in Holstein, on February 28th, one week before the official notice of the outbreak reached the English Consul. The hon. Member is aware that the Board of Agriculture have already declined to permit the landing of animals from Schleswig-Holstein, that course having been necessary, in the opinion of the Board, as a precaution against the introduction of disease.

MR. DARLING: May I ask if, now that the disease has shown itself in Schleswig-Holstein, it is a fact that the law prevents the Board of Agriculture permitting the landing in this country of cattle from Schleswig-Holstein?

*MR. CHAPLIN: As I read the Act, in view of the actual existence of disease within the country, I am absolutely precluded by the terms of the Act from relaxing the restrictions.

THE BERLIN LABOUR CONFERENCE.

MR. HOWARD VINCENT: I beg to ask the Under Secretary of State for Foreign Affairs if he is in a position to state who will be the delegates of the United Kingdom at the Labour Conference convened by His Imperial Majesty the German Emperor; what is the nature of their general instructions; and if they will be authorised to advocate the adaptation of the hours of Continental labour in mines and upon Sundays to the standard prevailing by custom in this country, and also to urge the adoption of factory legislation analagous to that in force in the United Kingdom?

*SIR J. FERGUSSON: I am sorry I cannot state who will be the delegates of the United Kingdom, but if the hon. Member will repeat his question to-morrow I may be in a position to do so.

H.M.S. *HERO.*

MR. GOURLEY: I beg to ask the First Lord of the Admiralty whether the report is true that the engines of H.M.S. *Hero*, on her trial trip, failed to produce the necessary indicated horse power until the springs operating on the safety valves were screwed down; and, if so, whether it is in accordance with the usual practice of the Admiralty that these same engines should be paid for under the circumstances; whether it is true that the engines now being built to Government specification, out of the last moneys granted by Parliament, are not lighter than they have ever been before; and whether the Government will grant an investigation, by practical engineers of the mercantile marine, into the efficiency of these new engines?

*Lord GEORGE HAMILTON: In the trial in question a slight adjustment was made in the safety valves by compressing the springs one-eighth of an inch, as the steam was blowing off below that pressure. The average pressure was then 91·21 lb. per square inch. The contract provided that the boilers should be tested to a pressure of 180 lb., and that the working pressure should be 90 lb. a square inch. The practice at the time was to allow the pressure stipulated for by contract to be regarded as the steam pressure at the engines and not at the boilers. A full official Report of the whole trial with the working pressures was received at the Admiralty before the machinery was paid for. The engines have since worked well.

POLITICAL PRISONERS IN SIBERIA.

Mr. SAMUEL SMITH: I beg to ask the First Lord of the Treasury whether his attention has been called to the accounts of the atrocities to which political prisoners in Siberia are subjected, and especially to the statement that several ladies attempted to starve themselves to death in order to escape the indignities heaped upon them; that one of these ladies was flogged with 100 lashes, and that afterwards she and several of her companions committed suicide by taking poison; and, whether our Ambassador at St. Petersburg could be asked, in the most friendly manner, to invite the attention of the Russian Government to the circulation of these stories, and to express a hope that steps may be taken which would enable an official contradiction to be given to them?

*Mr. W. H. SMITH: Her Majesty's Government have no means of judging of the truth of the statements to which the hon. Gentleman refers, and it is not in their power to approach the Russian Government in regard to them.

LENGTH OF SPEECHES IN THE HOUSE.

Mr. SYDNEY BUXTON: I beg to ask the First Lord of the Treasury whether his attention has been drawn to the fact that the time devoted to the debate on the first Amendment with regard to the Special Commission Report, extending over six days and occupying about 40 hours, was consumed by the speeches of only 37 Members; and, whether he will renew the appeal that he has made to Members in previous Sessions since tho Twelve o'clock Rule came into force, to be more concise in their remarks, so as to give opportunity to a larger number of Members to take part in the debates of the House?

*Mr. W. H. SMITH: The hon. Member asks me to repeat an appeal which I made last year, and the very fact that such an appeal is again made shows how little effect my words have had. Sir, I regret than hon. Members are suffering under a malady which, as the hon. Member seems to think, renders them insensible of due proportion in their remarks; but I am sure that any remedy is to be found rather in the general sense of fairness to Colleagues in the House and of their responsibility to the country in the conduct of public business in the House, and I trust that the suggestion involved in the question will be received with consideration by those Gentlemen for whom it is intended.

THE CITY POSTMEN.

Mr. LAWSON: I beg to ask the Postmaster General whether before giving a reply to the petition of the City postmen forwarded to him on the 30th October, 1889, he will appoint a Departmental Committee to inquire into, or himself inquire into, their claim to be paid on a higher scale?

*Mr. RAIKES: Premising that the memorial of the City postmen, although dated October 30 last, did not reach my hands until the Christmas pressure was over, I may observe that in that memorial there is much with which I find myself able to agree. For instance, the postmen ask that, with one immaterial exception, their duties may be so arranged as to admit of the day's work being completed within 12 hours. In this they have my full sympathy. Already, since the date of their memorial much has been done, and much will continue to be done, with a view as far as possible to comply with what seems to me a very reasonable request. So, again, they ask that the rates of pay which they receive for extra duty may be raised. This, I am happy so say, has been done since their memorial was received. A third request is that the rule which prohibits them from holding meetings outside the Post Office building for the discussion of

questions connected with their duties and pay may be abrogated. As stated the other day, in reply to a question put by the hon. Member for Shoreditch, I have been for some time considering whether the existing rule cannot be so amended as to afford reasonable facilities for such meetings being held, and I hope before long to be able to announce a material amendment of the rule. With two requests, on the other hand, I have felt unable to comply. Of these one is that the rule prohibiting them from writing to the Press on official matters may be repealed. This, I need hardly inform the House, is a rule applicable to the entire Civil Service, and obviously no exception can be made in favour of the City postmen. Another request that I would recommend that their wages should rise as high as 40s. a week. With this request I could not consistently comply, entertaining, as I do, a strong opinion that wages of 32s. a week, the maximum to which they now rise, coupled with good conduct stripes, carrying in the majority of cases an additional allowance of 3s. a week, and also with uniform, gratuitous medical attendance, sick pay during absence, and, above all, pensions, affords adequate remuneration for the duties to be discharged. I have ventured to inflict these details upon the House in order to explain why it is that I have not, as suggested by the hon. Member, thought it necessary to refer the memorial of the City postmen to a Departmental Committee.

THE ARMY AND NAVY ADMINISTRATION REPORT.

MR. D. CRAWFORD: May I ask when the Report as to Army and Navy Organisation will be in the hands of Members?

*MR. W. H. SMITH: I hope that the preliminary Report of the Royal Commission as to the Administration of the Army and Navy will be in the hands of Members very shortly. But it will be necessary for the Government to ask the House to vote money for the Army and Navy, to-night for the Army, and on Monday for the Navy, in order to carry on those services before the end of the financial year. But an opportunity will be afforded on the earliest possible day after the Easter recess for the consideration of any observations which hon. Members may wish to make on the Report as to the Admiralty and War Office respectively. I trust, Sir, I may appeal to hon. Members on both sides of the House to assist the Government by passing the necessary votes for the Army and Navy, seeing that there are only three days at the disposal of the Government before it will be necessary to introduce the Bill in order to secure the appropriation of money for the public service before the end of the financial year. In these circumstances I trust the House will grant these Votes, deferring the questions to which the hon. Member has referred for further consideration on the Votes for the Admiralty and War Office.

BUSINESS OF THE HOUSE.

MR. E. ROBERTSON: May I ask the right hon. Gentleman whether he will now state for the convenience of the House on what day he proposes the House should adjourn for the Easter Recess?

*MR. W. H. SMITH: I think it would be more convenient that that question should be postponed for a few days. The hon. Gentleman must see that the Adjournment depends upon the course of public business.

MR. DILLWYN: May I ask whether it is the intention of the Government to make any provison as to the Tithe Rent Charge Bill—whether it is intended to take the Bill before Easter?

MR. MUNDELLA: Is there any intention of proceeding with the Infant Life Protection Bill to-night?

*MR. W. H. SMITH: I do not expect that progress will be made to-night with the Infant Life Protection Bill. With regard to the Tithe Bill, the two next Government nights are appropriated for Supply, and therefore the Second Reading cannot be taken until after Thursday next. I hope, however, that it will be taken before Easter.

MR. COBB: Can the First Lord of the Treasury say whether the Second Reading of the Allotments Bill will be taken before Easter?

MR. W. H. SMITH: Certainly.

*SIR W. BARTTELOT: There is a little misunderstanding as to the statement my right hon. Friend has just made.

Will he state whether it is intended to take the Irish Land Purchase Bill before the Tithes Bill?

*MR. CAMPBELL-BANNERMAN: I should like to know what arrangement the Government contemplates with regard to the Army Votes, because last year, under the ruling of the Chairman of Ways and Means, a considerable restraint was placed upon the discussion, and the old rule of a general discussion on the First Vote was departed from?

MR. W. H. SMITH: I have no authority over the rulings of the Chair, but I desire as far as I can to promote discussion on the Vote. I did not refer to the Irish Land Bill in the statement I made, but it is the intention of the Government that that Bill should be introduced before Easter, and, so far as the introduction of the Bill is concerned, it will probably take precedence of the Tithes Bill, although I hope that Bill will be read a second time before Easter.

*MR. CAMPBELL-BANNERMAN: I quite admit that the right hon. Gentleman cannot control the decision of the Chairman of Ways and Means, but he will agree that one night's discussion upon the Army and Navy Estimates respectively is quite insufficient. I should like to know how he proposes to enable us further to discuss the Estimates?

MR. W. H. SMITH: It is not uncommon for the Vote for men and money to be taken on the night on which the Army Estimates are introduced, and the interests of the service require that the Vote should be taken this evening.

SIR W. LAWSON: Will the Home Secretary say when the Report of the Sunday Closing Commission is likely to be presented?

MR. MATTHEWS: I was informed 10 or 12 days ago by the Chairman of the Commission that the Report would be presented immediately.

MR. BRADLAUGH: Will the right hon. Gentleman state when the Employers' Liability Bill will be circulated?

MR. MATTHEWS: I am not in a position to name a day.

MR. BRADLAUGH: I am speaking of the circulation of the Bill. The Second Reading is down for next week.

THE NAVY ESTIMATES.

*MR. CAMPBELL-BANNERMAN: This morning the newspapers published, some of them *in extenso*, the memorandum of the First Lord of the Admiralty in explanation of the Navy Estimates. That memorandum has not yet been issued to Members of the House. Will the noble Lord be good enough to explain the circumstances?

*LORD G. HAMILTON: 150 copies of the memorandum were in the Vote office yesterday, but as that number was not sufficient to complete the distribution among Members, orders were given that the papers should not be handed ont until this morning. Copies of the memorandum were forwarded to the Press at the same time that 150 copies were sent to the Vote office.

MR. HOWELL: Is it not a fact that orders were given not to deliver the memorandum to Members until the House met to-day at three o'clock?

*LORD G. HAMILTON: The orders were not given by me.

MR. A. O'CONNOR: Does the noble Lord suggest that the newspaper people obtained their copies from the Vote office, or elsewhere?

*LORD G. HAMILTON: Copies were sent to the newspapers at the same time as 150 copies were sent to the House.

INTOXICATING LIQUORS LICENSES (SCOTLAND).

Returns ordered—

"Of the number of Licenses for the sale of Intoxicating Liquors, whether issued under the authority of Magistrates' certificates or by Officers of Excise in each City, Royal or Municipal Burgh, and County in Scotland, arranged as follows:—

(1.) For inns and hotels;
(2.) For public-houses;
(3.) For dealers in Exciseable Liquors and grocers and provision dealers trading in Exciseable Liquors;
(4.) For sale of table beer;
(5.) Excise Licenses granted for the sale of Exciseable Liquors, without Magistrates' certificates being previously obtained, to be tabulated:"

"And, of the number of special permissions granted by the Magistrates or Justices under the authority of section six of 'The Public-Houses Amendment Act, 1862,' during each of the two years immediately preceding the passing of 'The Public Houses, Hours of Closing (Scotland) Act, 1887,' and during each of the two years immediately succeeding the passing

of that Act, in each City, Royal or Municipal Burgh, and County in Scotland respectively :—

	Name of City, Royal or Municipal Burgh, or County.
	Population, Census 1881.
	Inns and hotels.
	Public-Houses.
	Grocers' Licenses.
	Table Beer Licenses.
	Excise Licenses without Magistrates' certificates.
	Special Licenses.
	Total number of Licenses issued.
	Number for each thousand of the population.

"The Returns for the Counties to be tabulated separately from those for the Cities and Burghs."—(*Mr. Leng.*)

MEMBERS OF PARLIAMENT.

Address for—

"Return containing a reprint of the Return of Members of Parliament for 1880 (Parliamentary Paper, No. 21, of Session 1887), together with the Index to the Names of Members of Parliament from 1705 to 1885, in continuation of the Return of Members of Parliament (Parliamentary Paper, No. 69 (II.), of Session 1878)."—(*Mr. Stuart-Wortley.*)

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

VOLUNTEER EQUIPMENTS.

*(4.55.) SIR E. HAMLEY (Birkenhead): Mr. Speaker, I have always insisted on the necessity for equipping the Volunteers, and I did so at a time when the services they might render to the country were little appreciated, indeed almost unthought of. The value of the force is now fully recognised, and the Government, as well as its military advisers, have seen that the feeling of the country is far in advance of anything that has been done or proposed in this direction. They have seen that the Volunteers form an indispensible element in the national defence, and they have seen also that to rely on the Volunteers without equipping them is an absurdity. They have, therefore, determined to equip them, and I desire to call attention to the method in which this is being done. In May last, a Circular was issued under the sanction of the Secretary of State for War, signed by the Adjutant General, in which were specified certain articles of equipment as necessary in order to enable the Volunteers to take the field, and then followed this passage :—

"After a date to be hereafter named, the possession of these articles to be made a condition of efficiency, and their production at inspection will be necessary, in order that the capitation grant may be earned.

The capitation allowance made by the Government to Volunteer corps is for efficient men, and efficiency, according to the Volunteer Regulations, means efficiency in shooting with the rifle. Hundreds of thousands of Volunteers who have passed through the ranks have rendered themselves efficient and enabled their corps to gain the allowance. Hundreds of thousands who are now in the ranks have done the same ; and yet, after having spent all this time and labour, they are suddenly told that unless they fulfil a new and totally different requirement, all that time and labour will go for nothing. This intimation might very well startle the Volunteers, and it has startled them. Now, the penalty for failing to fulfil this new condition is deprivation of the capitation allowance. This allowance has been always found insufficient, and therefore the great majority of the corps have been forced into debt. In 1887 a Committee was formed to inquire into the matter, and the following points were referred to it by the War Office :—First, to inquire what were the necessary

requirements of the Volunteer Force to be covered by the capitation grant; secondly, whether the present grant was sufficient; and thirdly, if not, in what form any increase should be given. The Report of the Committee stated that the grant was insufficient; it recommended that an increase should be made to enable the force to meet their liabilities for necessary purposes; and it specified what those necessary purposes were, and equipment was not among them. There exists, therefore, no justification whatever for calling upon the Volunteers to provide their own equipment, and to deprive them of a grant which is scrupulously proportioned to their necessities must mean financial ruin. The Circular divides the equipment into two classes—the one, that which is to be found by the Volunteers themselves; the other, that which is to be provided in a different way. On mobilisation the State proposes to give two guineas for every efficient man with which to provide the articles of the second class. There is no apparent reason to be found in any statement on the subject why the Volunteers should provide one class of equipment, and the State the other. Both are equally indispensable. The inference is that the distinction has been made in order to save the State from paying for a part of the equipment, and to throw the cost on the Volunteers. The War Office should have calculated the total expense of the equipment, and have at once said that it would provide it. The Circular with its demand has, however, not been without effect. It procured the co-operation of the Lord Mayor of last year, who, no doubt, was well aware that the Government would be very much obliged to anyone who would spare it the pain of asking for money to provide for the public safety. In July the Lord Mayor issued an invitation to the public to subscribe to what he called the Patriotic Volunteer Fund, and the letter which accompanied the invitation stated that a Government grant for that purpose would, as many Volunteers felt, change the voluntary character of the force, and greatly diminish its charm. Why "the charm," as the Lord Mayor poetically termed it, should be diminished by that kind of Government grant, any more than by the capitation allowance, or by the grant for the other part of their equipment, or by getting up the Patriotic Fund, no one, probably, except that particular occupant of the Civic Chair, could undertake to explain. Now, to show the inconsiderate way in which this business was entered on, I will mention that the Lord Mayor began by asking for £85,000, and though he only got half of that sum, yet it was more than amply sufficient for its purpose. It is, so far, a success, but a very partial one, for it leaves the enormous majority of the Volunteers—namely, the provincial corps—quite unprovided for. On bringing this matter before the House last Session, the Secretary for War suggested several ways in which this money might be raised. He said the Volunteers might borrow it, the expediency of which counsel may perhaps be open to doubt, or it might be provided by public subscription, as if they were sufferers by flood or fire, or, lastly, they might apply their minds to the problem. We are all of us aware of cases in which persons who cannot get money in ordinary ways apply their minds to the problem, and often display great ingenuity in doing so, but they are not perhaps a class of persons whom it is desirable the Volunteers should imitate. The result is that at present there are some corps who have endeavoured to provide the necessary money, there are others who are still making efforts, while some are tacitly waiting the signal for being declared inefficient. On the 10th of February last a meeting was held at Newcastle, representing Northumberland, Newcastle, and Berwick, to consider the position of the Volunteers of the country, when a resolution was agreed to that, inasmuch as the members of the force rendered valuable services for which they received no pay, it was unjust and inexpedient that they should be subject to any charge in respect to the equipment necessary to enable the country to secure the benefit of their services. A Committee was formed to consider the subject. So that nine months after the issue of the Circular, that is all they have as yet arrived at. It is really quite pathetic to watch other efforts that have been made, such, for instance, as where officers endeavour to give dramatic performances to assist the equipment of their men for the Public Service. This can hardly be called a success, but, how-

ever successful, I should still have objected to it on account of its unfairness, because it throws on part of the public the task of finding money for national purposes which ought to be borne by the whole of the community which does not render personal service. Now, the problem we have to face is this: the provincial corps having no ambitious Lord Mayor to appeal for them, and no rich community to respond, remain in great measure unequipped. Will the Circular be thereupon enforced against them; will they be deprived of the grant? If so, they must to that extent cease to exist; and how does the Government propose to replace them? It must be remembered that Volunteers need only give very short notice in order to pass back into the general mass of the population. At the very time we are running this risk the Volunteers are being made every year more and more an indispensable element of national defence. They form by far the greatest force numerically of our defensive Army, and all the schemes of national defence take them into account and assign them to their various posts, and, it may be said, those schemes would fall to pieces without them. I submit, then, that this present step is ill-advised and dangerous. It is another example of the unwise spirit in which we are dealing with this invaluable force. Instead of finding new, unforeseen, and impossible conditions imposed on them, they should meet with all reasonable encouragement, and every step should be taken consistent with strict discipline to render the Service attractive. What escape is there from the dilemma which the Circular has got us into? I would respectfully venture to suggest for the consideration of the right hon. Gentleman, according to the terms of the Resolution, that after a fixed date all deficiencies of the equipments of Volunteers which are necessary to efficiency, and all debts of corps properly incurred on account of the same, should be made good from the public revenues. I would also suggest that the threat contained in the Circular of deprivation of the Grant should be at once rescinded. I have endeavoured to place this statement before the House in the most simple and unvarnished terms. I think it is very unlikely that many persons, unless they are Volunteers, have made themselves acquainted with the facts which I have stated. It is, however, exceedingly desirable that hon. Members and the public should become acquainted with these facts in their own interest and the interest of our Citizen Army; and this is my reason for bringing the matter before the House.

Amendment proposed,

To leave out from the word 'That' to the end of the question, in order to add the words 'it is expedient that, after a certain fixed date, all deficiencies of the equipments of Volunteers which are necessary to efficiency, and all debts of corps properly incurred on account of the same, be made good from the public revenues,'"—(*Sir Edward Hamley,*)

—instead thereof

Question proposed, "That the words proposed to be left out stand part of the Question."

*(5.15.) MR. HOWARD VINCENT (Sheffield, Central): I gladly rise to second the Motion of my hon. and gallant Friend, and I take the opportunity of thanking him on behalf of the Volunteer Force for bringing this matter forward. If the Volunteers are worth anything at all I submit they ought to be equipped properly and maintained at the expense of the State. The House will, I feel sure, admit that the services rendered by the Volunteer Force to the country are incalculable not only in a defensive sense, but in a physical sense, a moral sense, and a patriotic sense. The right hon. Gentleman the Secretary for War has in many ways since he has held office evinced sympathy for the Volunteers, and I am sure the Force will acknowledge the assistance which the right hon. Gentleman has rendered it on many occasions. But I fear that the right hon. Gentleman is not always supported by some of his subordinates as well-wishers of the Volunteer Force would desire and hope. It looks often as if a strict watch was being kept at head quarters upon every Regulation and every allowance that might be beneficial for the development or the training of the Force, and early opportunity taken by some means to check or limit any such order when issued. I am sure that Volunteers as a whole, and especially commanding officers, were very glad indeed of the efforts made to improve the rifle shooting of the force, but no sooner were Regulations

issued on that head than we were deprived of 15 rounds of the ammunition we had had for many years. When this was brought to the notice of my right hon. Friend he was good enough to say he would take this matter into re-consideration, and he says he will allow these 15 rounds again in cases where it can be shown they are absolutely essential. But, I submit, that to have these proposals, these changes and alterations, adopted, often without consideration of the needs of the force, is not only very harassing, but gives rise to a great deal of unnecessary feeling. The Adjutant General of the Forces, in a speech the other day, referred to musketry shooting, and said there was not a battalion of Volunteers who could shoot against any regiment in the Army. Well, that is true, naturally, but I am quite sure that Lord Wolseley, to whom the Volunteer Force is indebted in many ways, had no intention of speaking in a disparaging tone of the force, but it is certain that comparisons of the kind are not just, and are calculated to give rise to a great deal of needless irritation. In the matter I have mentioned, musketry shooting against the Regular Army, I will only say that the corps I have the honour to command will be ready to shoot against any regiment at any time and under any conditions. My hon. and gallant Friend has referred to the efforts made by Mayors and Civic Authorities to follow the example of the Lord Mayor of London, and raise a fund for the equipment of the Volunteer Force, and I quite agree with what he has said, that it is not fair to the force or to the public. It is absolutely necessary, at any rate, that rifle ranges, drill sheds, parade grounds, and places for exercise should be provided by the State, if the force is worth maintaining at all. I am certain that no Member of this House will contend that the Volunteer Force is not of the greatest national advantage, and thoroughly worth the money to make it in every way efficient. The difficulties of commanding officers on this head are little understood by the public, and are little appreciated by the Authorities. When the Volunteers go out in large numbers, as they do at Easter, there is the greatest difficulty in finding places where they can be exercised or barrack rooms where they can be located. I do not wish to press this matter at any length on the House, but I do most cordially second the Motion of my hon. and gallant Friend, which I trust will find a favourable reception and consideration by the House and the Government.

MR. J. CHAMBERLAIN (Birmingham, W.): Before the hon. Gentleman replies I should like, if you will allow me, to say a word or two from this side. Perhaps I owe an apology to the House, because I am not a military man, and am not even a Volunteer, and this is the first occasion on which I have taken part in what is usually considered a military debate. But I have a personal interest in the matter, and I am especially interested, because we in Birmingham are in the position which has been indicated by the hon. and gallant Gentleman opposite (General Hamlyn). We have there a very efficient Volunteer Corps, though it is not so large as I should like to see it, and when this Circular was issued, it became a serious matter for us to consider how we should continue that force at all and provide for its necessary equipment. We have no Lord Mayor at Birmingham. It so happens that the last two gentlemen who filled the office of Mayor were worthy and admirable members of the Society of Friends, and, under such circumstances, they naturally declined to take any part in promoting the equipment of the force, and it fell to my lot to do what otherwise would have been done by the Mayor. I believe a meeting is to be arranged shortly after Easter, and large subscriptions, I believe, have been already announced, so that probably we shall find the equipments by voluntary assistance. Our only difficulty in securing this voluntary assistance is the feeling on the part of our liberal citizens that they ought not to be called upon alone to find these funds. They are willing to meet their fair share of the cost, but they do not see why the expense should not fall upon the whole of the community, for it is for the advantage of the whole community that the Volunteer Force is established. They say, and with reason, that the time is come when military authorities should tell us what value they set on the Volunteer Force, and tell us if it is really an essential part of the defensive force of the country, or if it is not. If it is not, and if it is merely an amusement

which certain of our citizens are induced to engage in, making some sacrifices for the purpose, then I think it is well that we should have this knowledge at once. If, on the contrary, it is an essential part of our defensive force, then I do maintain that the whole of its necessary equipment ought to be provided from the funds of the country. And even when that is done, let it be clearly understood that those who join this Volunteer Organisation will have to make considerable sacrifices, not only in time, but in money. There are a number of things that naturally the State cannot be asked to do—prizes, for instance, at shooting competitions. In this and in other ways officers are already making large contributions. The point I desire to urge on the Government, and which I should like to press in the terms of the Motion, is that the Department should withdraw that part of the circular which involves a withdrawal of the efficiency grant if certain equipments are not provided. That is really a proposal that cannot be justified. It amounts to a breach of faith with the existing Volunteer Organisation. Unless this is done the position will be this—that in a few places, such as the Metropolis and in our large and populous centres, the liberality of citizens will provide what is necessary; but in other parts of the country there will be corps left in a position in which they are unfit to take the field, and cannot be considered part of our defensive force, and in the event of war breaking out you will have deprived yourself of the advantage of these forces by your own parsimony, a most undesirable state of things.

*(5.28.) THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): I do not think we can complain of the tone of the speeches made, but it is necessary that the House should follow the advice of my hon. and gallant Friend, and investigate the facts before proceeding to give a strong vote upon the Resolution brought before us. Nothing is further from the intention of the Government, or would be at so much variance with actual facts and our action since we have been in office, than any idea either of parsimony in dealing with the Volunteers or want of appreciation of the services they have rendered to the country. But if a balance is to be struck between what the public has done and what the Government has done, I think we may fairly take this opportunity of putting forward what has been done towards rendering the force efficient. Special attention has been called to the Volunteer Force in consequence of their being included in the general scheme of mobilisation. Its existence has been a great moral benefit to the country, no doubt, since its establishment. Up to 1886 the Volunteer Force might have been said to be something like a haphazard collection of units, but there has, however, been a change in position, and the military advisers of my right hon. Friend have advised him as to the exact position Volunteers may be expected to take. Immediately the question arose of mobilising the Volunteers, there also arose the question of expense. Reference has been made to the Report of a Committee which assembled under the presidency of Lord Harris. My hon. and gallant Friend has rather skimmed over the pages of that Report, and has not looked thoroughly into the conclusions at which the Committee arrived and the methods by which they reached those conclusions. If he had done so, he would have found that the greater part of his Motion falls to the ground. The Committee, which had upon it not merely members of the War Office, but two very distinguished Volunteer officers, went *seriatim* into the amount which the capitation grant would be expected to provide, and considering it, item by item, they proposed an increase of that grant and of other allowances. What was that proposed increase intended to cover? My hon. and gallant Friend said that clothing and equipment was not one of the items. Surely he has not read page 9 of the Report, in which the words "clothing at so much per head" are specially included. If he had looked into the Report a little more closely he would have found that the clothing included the tunic, trousers, shako, gaiters, belt and pouch, and the great coat, to be given by a separate allowance. When we have taken these items, what remain, and what increase has been asked in the circular of the Adjutant General? Every single thing alluded to in that circular is provided under the capitation grant according to the estimate of the Committee, with the

exception of the havresack, water bottle, and mess tin, the whole of which cost 3s. 6d., and one pouch now likely to be added in consequence of the new rifle. On the other hand, if hon. Gentlemen will look a little more closely into the Report of the Committee they will see that the estimate is for only about 90 per cent. of the Volunteers to become efficient and earn the 35s. apiece. But, in point of fact, it is between 97 and 98 per cent., and the difference in the capitation grant in consequence of the extra 7 per cent. is more than equivalent to the cost of the extra equipment demanded by the circular. So far as the Committee represent the facts, they prove satisfactorily and conclusively that nothing is asked for in the circular which cannot be paid for out of the capitation grant if properly administered. I do not wish for a moment to give any opinion as a civilian, but I must be allowed to refer to the fact that we had the advantage on that Committee of the presence of the hon. and gallant Gentleman the Member for Gainsborough (Colonel Eyre), who was able to show, by his own regiment, which he has commanded so many years, not merely that the capitation grant is enough, but that it has been sufficient to provide those equipments which the Committee consider to be necessary. The hon. and gallant Gentleman will be able to explain to other commanding officers how he has got those satisfactory results, and I hope he will also confer privately, with the same object, with the hon. Member for Sheffield, who has spoken in rather a disparaging way of the amount which has been granted to the Volunteers. I would like to say one word as to a remark of the right hon. Gentleman (Mr. Chamberlain), that the Government ought to state what value they attach to the Volunteer Force. The best proof of the value we attach to that force is what we have accomplished since 1886. In the first place, my right hon. Friend the Secretary of State for War thought it necessary for a time to check the increase of the infantry companies in order to encourage the enlistment of artillery and engineer Volunteers. That has had a most satisfactory result. In 1886 we had only five submarine mining engineer companies; now we have 31. The number of efficient engineers had risen to 9,900 in 1886, and has reached 12,500 in the present year. That is a substantial advance. Every one of these companies has a definite place in which to serve and in which to carry on mobilisation. There is also an increase in the artillery, and, despite the demand for the qualifying courses of musketry for the efficiency grant in infantry, the reduction in infantry Volunteers from all causes is only $3\frac{1}{2}$ per cent. of efficient Volunteers. During this period the artillery Volunteers have received 284 guns of position ranging from 16 to 40 pounders. That is an enormous advance, as every artilleryman knows, in providing the infantry with a proper complement of artillery service. Moreover, in consequence of the scheme of mobilisation money is taken in the Estimates, and sites are already bought for the special massing of Volunteers in positions where they will effectively support the field army. The regulations under which the Brigadiers conduct their own brigades into camp, have been framed with excellent results, but with considerable additional cost to the country. Something has been said about the equipment of great coats. The 2s. which was offered towards inducing Volunteers to get great coats has certainly resulted most satisfactorily. In 1887 there were only 40,000 great coats among 220,000 men; in 1888 there were 67,000; and last year 94,000, an increase in two years of more than 100 per cent. It is really necessary that I should state the sums which the Government have asked Parliament to vote for the use of the Volunteers during the last four years. When the Government came into office the Volunteer Estimates, including Volunteer Services and other Votes, amounted to £807,000. In 1887 they rose to £841,000; in 1888 to £930,000; in 1889 to £961,000; and in the present year to £967,000. We have, therefore, had an advance of £160,000 in four years, which is equivalent to 15s. for every Volunteer; and that advance has been given although there has been no increase in the number of efficient Volunteers. It is an increase from £3 10s. to £4 5s., without any increase in the number of Volunteers, but solely in order to get them to attain to greater efficiency. I must say that, under the circumstances, it is a little hard that a Member of this House in the p sition of the hon. and gallant Gentleman for Birkenhead,

should talk of the unwise way in which the Government has dealt with the force. He apparently imputed to us that we have been backward in recognising our responsibility in this matter; whereas, we submit that no Government has ever seriously organised the Volunteer Force before, or coped with the dema ds upon it. I will put before the Committee one or two considerations as to the Motion, which I think ought to be taken into account before it is too hastily resolved, that the Government ought to pay the whole expenses of equipping the Volunteers where they have not been able to equip themselves. Up to 1862 no capitation grant was given at all, but all expenses were met by private subscription. Although the Government then assumed certain responsibilities, it should be clearly understood that at that time, and at each successive advance, only sufficient money has been given to meet actual out-of-pocket expenses. I do not wish to say a word that might be deemed offensive to any commanding officer of the Volunteer Force, but it stands to reason that the administration of some Volunteer corps has not been so economical as that of others. In some cases it has even been exceedingly extravagant. The hon. Member for Sheffield said that the Government should pay for ranges and drill halls, but the hon. and gallant Gentleman knows that there are corps who have spent as much as £10,000 on buildings, to which are attached baths, reading rooms, tennis courts, and almost every kind of luxury. Are the Government to undertake those debts, and are they to do nothing for those corps which have exercised due economy and prudence? We must consider whether it would be dealing fairly with those corps that have been economical to pay the whole of the demands of those corps which have not been economical, and whether, by doing so, we will not create profound discontent among those corps which, in consequence of their providence and foresight, are not obliged to make any claim upon the Government at all. It has been laid down broadly that it is the duty of the Government to place upon the whole community the cost of maintaining a force which is of advantage to the entire country. But there is another way of looking at that. We are asking 225,000 men to give their services for nothing, while 20 times that number of their fellow-countrymen are equally able to give their services, but do not do so. Why should not these men contribute, and why should we by general taxation make both the men who serve and those who do not contribute equally? It is only fair that they who cannot or do not give their personal services should contribute something towards the cost of the force. Commanding officers already complain that since the rise of the capitation grant subscriptions for prizes have fallen off. I can conceive nothing which is more certain to check the flow of private subscriptions than a Resolution calling upon the Government to pay for all the necessities of the Volunteers when it is certain that the State cannot possibly assume all the liabilities at present met from private subscription. The hon. and gallant Member has, I think, meted out somewhat harsh treatment to the Lord Mayor, and has complained that my hon. Friend threw on the Lord Mayor the task of providing for the safety of the country. I know no man against whom such a charge is so groundless as my right hon. Friend (Mr. Stanhope) who has not hesitated to bring before the House what no previous Minister has ever done, namely, a loan for fortifications for coaling stations and commercial ports, and a loan for barracks, besides considerable additions to the Estimates. In the county county with which I am connected the idea of a Volunteer Equipment Fund has been taken up with the greatest interest and liberality. I believe there is every prospect in that county that the money necessary will be subscribed. I know that a similar result is going on in other counties, and I hope that my hon. and gallant Friend, and those who think with him, seeing the great progress which is going on, will not check it by pressing the Resolution now before the House. Reference has been made to the circular issued by the Adjutant General. There is no intention to press hardly on any corps. The utmost consideration will be given to all the circumstances in the case of a corps which, when the time comes, may not find itself in possession of a full equipment. There is no intention whatever of using this circular with the view of decreasing the Volunteer Force, or in any way putting difficulties

in the way of a corps, otherwise efficient, which may find itself, owing to the circumstances of the past, in financial difficulty. There are persons who support the authorities in thinking that the present capitation grant and allowances may be made equal to the present needs. I am certain that no one who looks into the matter, and views all the facts surrounding the immense progress made in the last three years and the better position of Volunteer regiments, can have any ground of fear from the Government in regard to the circular. In these circumstances I ask my hon. Friend to consider whether it is necessary to give any stimulus to the Government either by the Resolution or by dividing the House.

*(5.40.) SIR H. HAVELOCK-ALLAN (Durham, S.E.): Mr. Speaker, I think that Volunteers have every reason to be grateful to the Secretary of State for War for the great efforts which he has made in the past. I believe it is the general feeling that there never was a period when Volunteers were treated more generously than they have been by the present Secretary for War. We have heard all the great efforts which have been made to provide the Volunteers with a moveable artillery, and to provide a larger number of submarine miners and additional engineer companies, both steps in the right direction; but they do not in any way touch the present difficulties alluded to by my hon. and gallant Friend, and which I see no other means, whatsoever, of getting over. Either the Volunteer Force are liable to be called into operation for the defence of the country, or they are not. If they are, it is a necessity that they should be so equipped that they can fulfil the purpose for which as a force they were called into existence. As to our obtaining voluntary subscriptions. I have great reluctance to say anything that may check that movement. Of course it is a desirable thing that a movement in the direction of giving voluntary assistance should not be checked. But I think I am justified in saying that, with the exception of London, where the Lord Mayor had a large field, and perhaps Birmingham, there is no place where the example of those two vast centres is likely to be followed. In Durham and Northumberland, where I have the honour to be in charge of a very large and excellent brigade of something like 6,000 men, it has been my duty within the last few months to endeavour to feel the pulse of the counties on the subject of obtaining assistance, and I am bound to say that I would be deceiving the public and inflicting injury on the Volunteer Force if I allowed the impression to prevail that voluntary subscriptions are likely to be obtained. On the contrary, these two counties of Durham and Northumberland, which are now in a state of exceptional prosperity, show a disinclination to give subscriptions, the reason which the leading men invariably give being that the opinion is becoming day by day more prevalent in the country that this is a matter which ought to be taken up by the Government, and by the Government alone. I do not go entirely with all the words of the Resolution. I think that a wise discrimination ought to be exercised in respect of the debts of corps. Many of the debts have been incurred in a way which will not bear examination, because of the imprudence with which they have been incurred. I do not suggest there has been malversation, but imprudence, and the greatest possible care, therefore, should be taken that the public purse is not called upon to pay debts other than those for equipments. With that exception I entirely agree with the Resolution. You may narrow the equipment down as much as you possibly can, but there is a limit beyond which you cannot go, for there are certain articles without which the bulk of Volunteers are not able to take the field—greatcoat, straps for carrying it, water-botttle, havresack, and another pouch. They cannot supply themselves in any way whatever except by an extra Government allowance. I have felt it necessary to make these remarks, though I have the greatest reluctance to do anything which would check the flow of public subscriptions to provide equipments. But I am persuaded, from inquiries I have made, not only in Northumberland and Durham but adjoining counties, that the extent to which voluntary sources are available is entirely exaggerated, illusory, and delusive. In the county of Durham, Lord Ripon has, for more than a year, been endeavouring to obtain the sum of

£1,200. He has only succeeded in obtaining £250, of which he subscribed £150 himself. I believe that is an indication of the extent to which aid may be obtained from private sources. The liberality of officers in assisting the maintenance of their corps is a source which cannot be further relied upon. I trust, therefore, that the Secretary of State for War will add to the other services which he has rendered the Volunteer Force by making strict inquiry as to the articles which are absolutely necessary for the Volunteer Force, and devising some means by which to supply them at the earliest possible period, if not by way of vote by way of loan, to be gradually paid off. I am perfectly certain by giving attention in this direction you will find the effort and cost more than counterbalanced by the increased efficiency which the Volunteers will exhibit.

*(5.49.) COLONEL BLUNDELL (Ince, S.W., Lancashire): Sir, I concur in a great deal that has fallen from the hon. and gallant General. Though the Manchester regiments, with which I have the honour to be connected, are endeavouring to equip themselves, I am quite certain, taking the country as a whole, that there will be a great difficulty in obtaining the equipment of the Volunteers from private sources. Rightly or wrongly, there is a feeling that the Government should take up the work of properly equipping the Volunteers with all that is necessary. I would urge on the Secretary of State for War, while thanking him for what he has done in the past, that he should make these changes when the magazine rifle is issued to the Volunteers. The amount of the capitation grant should be then re-considered, arms, accoutrements, and equipments should be supplied, leaving the Volunteers to provide clothing only. The question of ranges is also one which it is absolutely necessary for the War Office to take into its special consideration, whether from the point of view of the safety of Her Majesty's subjects or the efficiency not only of the Volunteer, but of every other branch of the Service. For instance, at Manchester, a range is much needed, and I do think the Government should endeavour to provide ranges within an easy distance of all large centres of population.

(6.3.) COLONEL CORNWALLIS WEST (Denbigh, W.): I think the Volunteers of the country owe a deep debt of gratitude to my hon. and gallant Friend the Member for Birkenhead for the Motion which he has brought forward. The time has now arrived when the cases of, at any rate, the poorer corps should be taken into consideration. In my own county it has been found absolutely impossible to call public meetings to consider this question, because people will not attend; they say—and I confess that I think there is much force in it—that the Volunteers are a body recognised as a part of the military force of the country, and that so far as equipment is concerned the Government should see to it. But, on the other hand, the Volunteer officers are told that they must beg, borrow, or do what they can to obtain the necessary funds. For my own part, I have the strongest objection to any of these courses; I think it a degrading thing for officers to be obliged to get up bazaars, &c., in order to provide funds for the purchase of equipments which are essential to the force. I was very glad to hear from the Secretary for War that this circular is not to be pressed, because if it were, as far as many provincial corps are concerned, it would absolutely put an end to them. I hope and trust that the Government will take into consideration all the views which they have heard, and that they will find some means to assist the Volunteer Force in a greater degree than has yet been done—though I do not deny that much has been done—and that, so far as equipments are concerned, the Government will take the matter in hand.

(6.6.) COLONEL E. S. HILL (Bristol, S.): I wish to re-echo every word that has been said with regard to the consideration which has been shown to the Volunteer Service by my right hon. Friend the Secretary of State for War. Prior to 1886, many thousands of men passed through the regiment I had the honour of commanding for 26 years, and I do not think it right that the Financial Secretary should have described a force such as this as a mere hap-hazard collection of boys.

*MR. BRODRICK: I did not say that. I said the Volunteer Force was, up to a certain date, a hap-hazard collection of units. The numbers of the different

branches of the force had not been considered in connection with each other, and wherever companies or battalions of a particular arm of the force could be raised, such a formation was encouraged.

COLONEL HILL: I am glad that I misunderstood the right hon. Gentleman. I entirely agree with the position in which the Volunteer force as described by my right hon. Friend the Member for West Birmingham, and the hon. and learned Gentleman the Member for Birkenhead. Either the Volunteers are a necessary portion of the defence of this country or they are not. If they are not they should be disbanded, but if they are, they should be supplied by the Government with everything they want for military service, and the Volunteers themselves should be asked simply to give their spare time. If the country wishes to have more than that, and to encroach upon the wage-earning time of the men, they ought to pay for it. I do not think it is right that a Volunteer should be put to any further expenditure of any sort. Notwithstanding what my hon. and gallant Friend has said with reference to the sufficiency of the capitation grant, I should ask leave to say that circumstances alter cases very materially, and it very much depends upon the position of a regiment whether or not its expenditure is heavy. I am very glad to hear him say that in his case they are able a have a little surplus, and, if he wishes to dispose of it, I should be happy to communicate to him the names of several corps by which that surplus could be advantageously expended. But as regards the question of equipment, I think it is unfair to ask Volunteers either to go about the country begging for subscriptions to provide military equipments for themselves, which seems to indicate a want of appreciation of their services on the part of the Government, or to ask officers to pledge their private credit at their bankers in order to provide the equipments. There is considerable difficulty in many regiments in obtaining the services of officers at the present moment, and if you put additional financial burdens upon the force that difficulty will be increased. I feel extremely grateful to my hon. and gallant Friend the Member for Birkenhead for having brought this matter forward, because he has, at any rate, elicited in regard to the circular a very satisfactory statement on the part of the Government. I trust he may see his way to rest satisfied with this statement and the discussion, and to withdraw his Amendment.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I hope I may be allowed to put it to the House whether this particular discussion should not come to a close. With regard to the Amendment, I think it is obviously impossible for the Government either to accept it or to say anything in encouragement of it. If I were to say a single word in support of it it is obvious that not one further penny would be subscribed by the public, but all expenses would devolve on the Imperial Exchequer. It is undesirable, therefore, on behalf of the Volunteers themselves that the Motion should be pressed. I am obliged for the kind words which have been used about myself, and I am only sorry that the right hon. Gentleman the Member for West Birmingham has left the House, because I should have liked to address a special appeal to him. In Birmingham the number of Volunteers is utterly out of proportion to the population, and I think that the right hon. Gentleman in what he said as to the inability of the town to provide for the equipment of even this small body has pressed the matter beyond what was reasonable. Some hon. Members have stated, with great truth, that these articles were pressing and indispensable articles for Volunteers when they took the field. But they have been so for the last 30 years, and this formed no new argument in favour of taking the increase of the capitation grant again into consideration. I am strongly in favour of the principle of local subscription. I sympathise with the undue pressure which is put upon officers of Volunteer corps, who I think are put in an exceedingly unfair position by being called on for subscriptions, and that is, in my opinion, one of the main reasons why it is difficult to get officers. But the effect of increasing the capitation grant would not be to spare the Volunteer officers; it would simply relieve their wealthy fellow townsmen of the payment of the subscriptions they have given

in the past. I think that there ought to be some local subscription in all cases, and that a Volunteer corps is much more valued in a locality if the locality itself has a pecuniary interest in it. No one will doubt that I highly value the Volunteer Force, and I assure the House that my desire in this matter is to increase and not in any way diminish the value and utility of the Volunteers. I will take care that no undue pressure is put upon them. Having made that statement, and looking to the fact that during my term of office the capitation grant has been increased by £160,000 a year, I think the House may rest satisfied that I did not desire in any way to injure the Volunteer force. I hope that the hon. and gallant Gentleman the Member for Birkenhead will rest satisfied with the discussion that has taken place and allow us to pass on to the other Motions of great importance which we have to consider this evening.

*(6.17.) MR. C. S. PARKER (Perth): As no Scotch Member has spoken in the course of this debate, I should like to say briefly that there is no class of expenditure more favourably viewed in Scotland than that which goes to support the Volunteers, and the Scotch Volunteers are very thankful to the right hon. Gentleman for the increased grant and the corresponding increase in efficiency which he has brought about. I well remember how different were the conditions when the force was first started. The aid then given by the Government was niggardly, very little regard was paid to efficiency; and Volunteers found scanty favour with the authorities at the War Office. Since then great advances have been made. But more is needed, and it is in vain at this time to look for much increase in local subscriptions. There are certain things which will always have to be provided by local subscriptions, such as the prize and band funds; but I think it a mistake to suppose that voluntary subscriptions could be largely increased. On the contrary, I believe they will remain very much as they are at present, and it will therefore be wise for the Government while insisting on efficiency to provide for anything necessary to secure it in the Estimates.

*(6.19.) SIR ALBERT ROLLIT (Islington, S.): After the appeal made by the Secretary of State for War I have no wish to prolong the debate for more than a moment. I hope that the Amendment will be withdrawn. But I desire to impress upon the Government that there is a strong feeling in the country in favour of something more liberal being done for the Volunteers. In passing, I should like, as a member of the Mansion House Equipment Committee, to acknowledge the liberality with which the appeal for funds to provide equipments for the Metropolitan Volunteers has been responded to, but I am of opinion that there is not in the country generally a feeling in favour of securing equipments by these means. If the Volunteers are, as I hold them to be, an essential part of the forces of the country, it is the duty of the State to see that they are properly equipped. I desire to acknowledge the great interest taken by the Secretary of State for War in that branch of the force with which I have the honour to be connected — the submarine miners, who have a capitation grant of £5. I admit that in this particular branch there is exceptional need for the increased grant. but I confess it strikes me that the disproportion between that and the ordinary grant is more than the difference in the nature of the services warrants. I hope the Government will therefore take the grant to the mining engineers as a precedent and an example to be followed in the case of the other Volunteers.

*(6.22.) MR. TOMLINSON (Preston): I think it must be admitted that every branch of the Volunteer Service owes much to the present Government for its increased efficiency. There are many cases of financial difficulty in the Volunteer Force, and in some corps the equipment will only be provided in time by increasing those difficulties. I would suggest that the Government should provide at least the water bottles and pouches of the Government pattern; otherwise there may be risk of unserviceable articles being introduced. The dread of financial responsibility, I believe, prevents suitable young men from accepting commissions. But the greatest difficulty the Volunteers have to contend with just now is the provision of ranges. My own corps has had its range closed in consequence of the increased danger

from the Martini-Henry rifle, and how the men will be able to complete their musketry instruction this year I do not know. We are at present dependent upon the courtesy of another corps at whose ranges we are able only to carry out a portion of the firing. I do hope that during the discussion on the Army Estimates we shall have some statement of the views of the Government as to procuring ranges, and some indications that a little more assistance, not necessarily pecuniary, will be given to enable the force to obtain proper ranges.

(6.23.) MR. P. A. MUNTZ (Warwickshire, Tamworth): I have never taken any active part in the Volunteer movement, but I have always entertained a strong opinion that the expenses of the Volunteers should be borne by the Imperial Exchequer. The right hon. Gentleman has made some observations with regard to the Volunteer Force in Birmingham. No doubt there is a great disproportion between the strength of the Volunteer Force there and the population of that great city, but I should like to point out to the right hon. Gentleman that the people, and especially the Volunteers of Birmingham, hold strong views on this subject, and I have no doubt that if the present system were changed and the expenses borne by the Imperial Exchequer the force in Birmingham would be very largely increased. The people of Birmingham comprise a very hard-headed body of citizens, and their attitude towards the force will be very largely influenced by the course adopted by the Government on this matter.

(6.26.) MR. de LISLE (Leicestershire, Mid.): Before the Amendment is withdrawn I should like to say a word or two on the subject. I am certain that the policy embodied in the Motion is one very strongly approved in the country, but might I suggest a slight amendment. I would recommend the hon. and gallant Gentleman to insert in his Amendment the words, "Outside the City and County of London." London is the wealthiest part of the nation; large sums of money are contributed out of the National Fund for the maintenance of its Parks and Museums, and public buildings, and, therefore, I think it ought to be treated differently in this matter from the rest of the country. Speaking for the Volunteers of the neighbourhood which I have the honour to represent in this House, I would say that the best way to secure their thorough efficiency would be to adopt the policy suggested by my hon. and gallant Friend. I may add that, through the patriotic exertions of the Mayor of Loughborough, funds have been raised to secure proper equipments for local corps.

(6.29.) MR. S. D. WADDY (Lincolnshire, Brigg): I wish to join with the hon. and gallant Member in pressing this Motion on the attention of the Government. I believe that no sufficient attention is at present paid to the great difference which exists with regard to the pecuniary resources of corps in different parts of the country, and, so far as I can see, the only remedy for it would be to place the force under a central authority. If the spirit which gave rise to the Volunteer Force is to be maintained, there must be such an equal distribution of their resources as we can only have through one hand. As to the merits of this Amendment, everybody seems to be agreed. It is only when the House of Commons speaks authoritatively that the Secretary of War is entitled to spend such amounts of money as I believe he is really yearning and almost burning with anxiety to expend at this moment. I hope the Amendment will be pressed to a Division.

(6.31.) MR. GROTRIAN (Hull, E.): This question of Volunteer grant is in itself a very important matter, and it is one which has engaged the serious attention of the country. If I understand rightly the remarks of the right hon. Gentleman the Secretary for War and the hon. Gentleman the Financial Secretary, I think they rather misapprehend the feeling of the country with regard to the subscription question. In the borough which I have the honour to represent a subscription has been got up which will provide the funds necessary for the equipment of the Volunteer forces in that borough, but many of the subscribers gave somewhat reluctantly. They felt they were doing that which it was actually incumbent on the Government to do, and they did it because their sense of patriotism rose superior to the sense of injustice which they thought they were suffering. I hope the hon. and learned Gentleman opposite (Mr. Waddy) rightly interprets the feeling

which permeates the mind of the right hon. Gentleman the Secretary for War, when he attributes to him a burning desire to make up the deficiency. After all, what is it that is asked for? Simply that the equipment absolutely necessary for the Volunteer Forces should be supplied by the Government. Well, I think it is the least which can be reasonably asked. The right hon. Gentleman took credit, and rightly so, for the large increase of money which, under his auspices, has been granted to the Volunteer Forces, namely, I believe £160,000. If the addition of the £160,000 to the grant is sufficient to provide so much I am afraid it will furnish a very strong argument later on for hon. Members to vote in favour of a reduction of the very large sum which the right hon. Gentleman is going to ask for later on. The main reason why I rose was to impress upon the right hon. Gentleman the importance, so far as possible, of conciliating the somewhat ruffled feelings of those who have conducted for many years the Volunteer organization under circumstances of very great difficulty and at enormous sacrifice, and of granting those who are less favoured than many situated in wealthy districts some additional assistance.

(6.35.) COLONEL SAUNDERSON (Armagh, N.): My right hon. Friend the Secretary for War appears to have objected to this proposal mainly on the ground that it would have the effect of damming up the tide of voluntary contributions towards the equipment of the Volunteers. I think, Sir, that the Government would encourage that generosity if they adopted the system of proportional grants. This is done, I believe, in other matters, and I believe that if my suggestion were adopted instead of damming up the generosity of the public it would still further increase it.

(6.36.) MR. E. HARDCASTLE (Salford, N.): I would urge my hon. and gallant Friend to press his Amendment to a Division. Within the last week or two a deputation from the part of the country I represent waited upon the right hon. Gentleman in reference to the circumstances affecting no less than 6,000 Volunteers. Their range, which they had occupied for several years, had been taken from them for purposes of cultivation, and after very great labour the Volunteers succeeded in finding what they believed to be the only place in which they can have a satisfactory range. All they wanted the Government to do was to advance £12,000, upon the security of the grants they were earning, to enable them to purchase this range. It has been intimated to them, however, although we hear so much of the expected surplus, that the finances of the country are not equal to the grant of a loan of £12,000 for a great public purpose of this kind, although the security for that loan is the Government grant. I certainly hope the Amendment will be pressed to a Division.

(6.38) MR. SALT (Stafford): If this Motion is not to be pressed to a Division I think we ought to have a more definite expression of opinion from the Government. I have watched this discussion carefully, and I believe on both sides of the House every man present is anxious to vote for the Motion. I will not ask my hon. and gallant Friend to divide because I do not wish to see the business of the House checked or interrupted; but I do not think that the assurance given by the Government is satisfactory. Not a single Member has spoken against the proposal. We are told that the Government approve of the principle which the whole House has condemned, namely, the raising, by means of subscriptions, of money which ought to be defrayed by the Government. Then we are told that a certain Order which has been issued will not be pressed. Nothing, to my mind, can be more unsatisfactory than to have it declared by the Government that an inconvenient Order which has been issued to the Volunteers throughout the country will not be pressed. If the recent Order cannot be enforced it ought to be at once withdrawn. What we all want to secure is that the Volunteer Force shall be really efficient in time of war. Whenever that force comes to be used it will be on a sudden emergency, and probably it will be employed against some of the best troops in Europe. We ought to be assured by the Government that the force is fit for service, and, if it is not, that they will either give it up altogether or make it fit for service.

*(6.41.) MR. E. STANHOPE: Might I say

one word by the indulgence of the House? If my hon. Friend will allow us to get into Committee he will be able to hear the statement I intend to make about the Volunteer Force. I have told the House perfectly distinctly that I do not want to press anything unfairly against the Volunteers, and that I am perfectly prepared to make every allowance for the difficulty experienced in particular localities, and to do my utmost, as I have always done in the past, to increase their efficiency.

*SIR E. HAMLEY: I beg leave to withdraw my Amendment.

COLONEL NOLAN (Galway, N.): I object to the withdrawal.

(6.45.) The House divided:—Ayes 102; Noes 135.—(Div. List, No. 26.)

Words added.

Main Question, as amended, put.

Resolved, "That it is expedient that, after a certain fixed date, all deficiencies of the equipments of Volunteers which are necessary to efficiency, and all debts of corps properly incurred on account of the same, be made good from the public revenues."

*MR. W. H. SMITH: I now move that the House immediately resolve itself into Committee of Supply.

Motion made, and Question proposed, "That this House will immediately resolve itself into the Committee of Supply."—(*Mr. W. H. Smith*).

*(6.57.) SIR G. CAMPBELL (Kirkcaldy): I have a Motion on the Paper in the following terms:—

"That this House regrets that the efforts of Her Majesty's Government are mainly devoted to concentrating and improving the Regular Army as such, rather than to localising and popularising the Forces of the Crown for defensive purposes."

The Government have resisted a Motion which only required that they should find the necessary equipment for Volunteers, and they have been defeated by the House. I take a somewhat broader view of the matter than the Mover of the last Amendment, and I think I am justified in submitting, at any rate in the form of remarks, the view I entertain. What has just occurred justifies my action in putting my Motion on the Paper, and shows that, in the opinion of the House, Her Majesty's Government are not sufficiently alive to the importance of the Auxiliary Forces. It appears to me that they have hitherto too much taken the Regular Army point of view in considering the matter. This country nowadays cannot rely on its Fleet alone. Modern changes have put us much more n the position of Continental countries ihan we used to be, and with our enormous accumulation of wealth we are bound to take efficient means to repel aggression. The Government, however, whilst they are doing the best they can for the Regular Army, have neglected the Auxiliary Forces. They have refused to meet the just requirements of the Volunteers. Then there is the Militia which has declined by no less than 15,000 men in a few years—the number being now only 103,000, whereas it was formerly 118,000. This, to me, is a matter for very serious regret. I am aware that Her Majesty's Government have appointed a Committee to inquire into the subject, but I cannot trace in the Estimates or the arrangements they are making with regard to barracks any indication that they have resolved to deal with the matter in a radical fashion. I find that almost all the fresh expenditure contemplated is devoted to the Regular Army. In the matter of barracks their proposal is to concentrate the Regular Forces of the Crown in great camps. I see nothing whatever proposed for providing new barrack accommodation for the Auxiliary Forces, and having watched the matter with considerable interest, I must say that the arrangement made for territorialising the Forces of the Crown is not genuine. The Line Battalion never serve in their territorial districts. It is really a sham. It is not complete National territorialising. You have a large surplus of officers in the Army. You say that in order to provide for a proper flow of promotion you must have officers retire in the prime of life, and you give them a considerable pension to retire, while at the same time you cannot get officers for your Militia. It seems to me there is great inconsistency in this, and that certainly officers who retire with considerable life pensions should be required to serve in the Auxiliary Forces. I recently read an article in a military paper in which this view was

taken, and I think it is a view that cannot be controverted. Not only the officers, but the men and the Reserve Forces should be made part and parcel of our Militia Force and should not be kept separate as a mere adjunct to the regular Army. I want to see a large proportion, if not the whole, of the population armed for the defence of the country. Some people are afraid that if we encourage volunteering we shall encourage a military and Jingo spirit. That is not my view. The experience of France and other countries shows that the more popular the Army is the less inclined the country is to engage in foreign expeditions and aggressions. France was formerly the most military and aggressive country in the world, but it is not so now. What has brought about the change? Nothing, I believe, but the system of universal service, for that system has brought home to the minds of the people the fact that if they must fight abroad they must fight themselves. The French Parliament would not allow their troops to go to Egypt to commit the aggressions we have committed, and the occupation of Tonquin was the most unpopular——

*MR. SPEAKER: The rule is that the remarks of the Mover of an Amendment must be relative to the Amendment. The hon. Gentleman is entering upon a very wide field.

*SIR G. CAMPBELL: My only suggestion is, that it is very desirable that we should have a popular Army, that a popular Army is not likely to be an aggressive Army. I think that if we increase our Auxiliary Forces, even at some expense to the Regular Forces, we should reap considerable advantage. We should make this great country much more secure than it is, and repress the spirit of Jingoism which prevails amongst certain portions of the community. I admit the popular feeling of the country is not ripe for compulsory military service; but, on the other hand, I think it is the duty of the Government and of the House to do all they can to encourage a popular force of the people for defensive purposes. I would contract the expenditure on the Army, in order to increase the expenditure on the Auxiliary Forces, to do that justice to the Volunteers which the House has demanded we should do, and to restore the Militia to the efficiency from which it has fallen in recent years. Looking at the matter merely from the point of view of the efficiency of the Regular Army, concentration in the great centres where great barracks are to be erected by the Government is good; but it is on these grounds better that the Forces should be localised rather than concentrated. I should like to imitate, to some extent, that admirable country Switzerland. That is a small but an industrious and democratic country, and the people submit to be called upon to serve in the Army for the benefit of their country. I have seen barracks there built not for the Regular Army, but as centres for local recruiting and local popular military exercising. I think that we might localise our Army and induce the people in the different localities to take a pride in their local Auxiliary Forces. It may seem a far cry from the Army to the eight hours' movement; but I come from a country where miners abound, and I find that the miners there, instead of going in strongly for eight hours, go in for taking a holiday with the Militia in the summer time. Then I think the Scotch fishermen might be made available for coast defence. I have received a paper to-day, in which it is stated by a Committee for the Defence of the Forth that the excellent materials on the east coast are not utilised as they might be for the defence of the country. No doubt the Admiralty do invite fishermen to join the second class of the Royal Naval Reserve; but the statistics which have been compiled show that Scotch fishermen are practically shut out, as the drill is unsuitable and interferes too much with their ordinary work. Therefore, there is ground for thinking that the Government have not given that attention and money for the development of our Auxiliary Forces which it is right and proper they should give. I admit we are not in the same position as a country like France. We are bound to keep up a Regular Army which shall retain possession of India and our other great colonies; but my belief is, while I am not in favour of a separate Army in India, that we might achieve the object the Government desire to obtain by a system of volunteering for long service instead of by an ordinary short service Army. There is another source from which I

think a good deal of money might be derived for making the Auxiliary Service more efficient. It seems to me that the colonies do not contribute in anything like a just proportion to the cost of the troops furnished for their protection. The net cost of our Army is about £113 per head, not including the expense of sea transport. I find that 35,000 men are employed in the colonies and Egypt. The cost of those troops is given at £2,237,000, which amounts to just about £64 per head. It is perfectly clear that the troops employed abroad cost not less, but a great deal more than the troops at home, and, therefore, I should put down the real cost of those troops at £150 per head. Why do we not get more for these troops employed abroad? I am aware that in the present year the Government are making an effort to get more, but I want to know why the demands made on the colonies are so unequal. I find that India pays the whole cost of the troops employed there, and the Straits Settlements are called upon to pay £100,000, which is a good deal less than the real cost of the troops. Ceylon pays no more than it has paid for some time—namely, £34,500. Why should that be, and why should the prosperous colony of Natal, which has a large revenue and surplus, pay only £4,000 a year? Why should the Cape Colony pay nothing at all? It seems to me that by making an alteration in this matter we might save a good deal of money which could be devoted to the Auxiliary Forces.

*(7.20.) DR. FARQUHARSON (Aberdeenshire, W.): Now that the Motions on the Paper have been disposed of, I presume I shall be in order in making a few remarks on a different subject. My text will be the present condition of the Army Medical Department. I quite admit that it is a great deal more convenient to raise matters of this sort on the Vote relating to them, and I will not deal with any point of detail; but I think it well that the right hon. Gentleman (Mr. E. Stanhope) should know at this early stage of the proceedings the great dissatisfaction and disappointment which has been expressed not only in the Army Medical Department, but in the medical profession outside at the decision he has arrived at in regard to the recommendations of the Departmental Committee. I think the right hon. Gentleman has missed a very valuable and, perhaps, unique opportunity of settling these questions once and for all. If he had adopted the Report of the Committee he would have entirely settled all the dissatisfaction which has been seething around the Army Medical Department for years—dissatisfaction arising from the unsettled state in which medical officers have been left, and from the condition of perpetual change to which they are subjected. One reason why the right hon. Gentleman was unable to adopt the Report was the expense it would have involved. He has stated that that expense would be £100,000 a year. I should have thought that a heavy estimate; but, of course, I must admit that on a question of this sort he is better informed than I. I think it unfortunate that he could not have put an end to the perpetual changes in the duties of the Army Medical Officers, and that he has been unable to see his way to make some return to the old regimental system with the destruction of which has disappeared so much of the domestic comfort, peace, and happiness of the Army Medical Officers. I think it also a pity that he could not have consented to proposals which would cost nothing. It is a common thing to say that doctors in these days do not want titles. That is all very well for civilians, but in military life there are a great many questions such as that of the choice of quarters in which some kind of rank is absolutely necessary. The Army Medical Department, by a very large majority, have said that they want some kind of compound title. I know that a few of the old military officers do not desire to have such a title, but they have had no experience of the rank-and-file life of the doctor of to-day. I do not know why the Government should be so much afraid of giving some kind of title to the doctor if he wants it—it cannot do them any harm, and it may do him some good. You have something of the kind in the title of surgeon general and surgeon major. I do not know why, when the medical officers want these titles, they cannot have them. Two or three countries have already adopted them—notably America—and I think that feeling in France is now tending in that direction. In America the system works uncommonly well, and

has placed the Army Medical Department on a firm and satisfactory basis. I am afraid there is still too much jealousy on the part of the combatant branch of the Service towards doctors. The hostility of the right hon. Gentleman's advisers to the Medical Department seems to be so great that I believe he has not ventured to place on the Table the evidence on which the Report of the Committee was based.

*(7.28.) MR. E. STANHOPE: I think it better that I should reserve my remarks until the hon. Gentleman raises the question in Committee. I may, however, just refer to one point. He says I have not put the evidence on the Table. Anyone can have the evidence, and I believe the hon. Member himself has got it; but I did not think it necessary to put the House to the expense of printing it.

*DR. FARQUHARSON: The right hon. Gentleman has kindly given me the evidence, but it has been given to me in strict confidence. The information on which my remarks were based was derived from other sources.

(7.29.) DR. CLARK (Caithness): I think my hon. Friend has been well advised in treating us to this preliminary skirmish, and I trust that when we come to the main battle we shall hear the right hon. Gentleman's views about the Report. I suppose my hon. Friend will move the reduction of the right hon. Gentleman's salary, because the right hon. Gentleman himself is responsible for what has occurred. It seems to me quite plain that the medical officers are unjustly used, inasmuch as they have a longer time of foreign service than military officers, and are obliged to have a greater amount of sick leave. As the result of that you have got no efficiency in the Medical Service; as a result you have the mortality among the medical officers 33 per cent. higher than among other officers, a result, I think, very serious. It arises from not giving these officers the same leave, and from giving them longer foreign service than other officers, and so you are killing off your medical officers at the rate of a third more than others. Surely it is time this loss of life should cease. With the other matter to which I wish to allude, there is no doubt sentiment associated, though it is not that entirely. The right hon. Gentleman has abolished relative rank and has degraded the position of medical officers in the Army. This is not merely a sentimental grievance, because when you abolish relative rank you abolish certain privileges and advantages that attended that rank in quarters. Perhaps if we give him sufficient evidence the right hon. Gentleman may be induced to change his mind if it is desired, and that medical officers do desire it is unquestioned. In the Departmental Committee of eight there were five of them in favour of granting the rank, only one medical expert being on the other side with the hon. Member for North Islington (Mr. Bartley), and a gallant Admiral. If there is no such desire in the Navy that is no reason why it should not exist in the Army. I hope we shall be able to get something more satisfactory from the right hon. Gentleman. We have got this Committee, and witnesses have proved to the hilt all the statements of my hon. Friend; the Committee have reported in our favour, and still the right hon. Gentleman persists in his course. We shall want good reasons why he does this. You will not get the same class of men as heretofore; you will have the Service boycotted by the profession; you will only get the riff-raff of the profession to enter the Army Medical Service. I trust the right hon. Gentleman may be induced to re-consider his position and not persist in defiance of the feeling of the profession.

(7.32.) MAJOR RASCH (Essex, S.E.): I am well aware that discussion at this moment is deprecated by the Front Bench; and I will occupy only a few moments on a subject to which I would direct the right hon. Gentleman's attention, and perhaps he will give some reply when the particular Vote comes on in Committee. I refer to the rations allowed to the private soldier. On joining the Service the recruit is informed that his rations will be provided free, but he soon discovers that his free rations are limited to one pound of bread and three-quarters of a pound—which is, practically, half a pound—of meat a day. Now, the work of a private soldier in a cavalry regiment is severe. He is up at half-past 5 in the morning, and with stable work, dull gymnasium, and school, there is an amount of work for which the rations supplied are quite

insufficient. It may be as I have asid, heard it said before, that the rations a soldier gets are more than, as a rule, the agricultural labourer gets; and to a certain extent that is true, but the agricultural labourers gets quantity if he does not get quality. Bacon and bread, it may be said, he gets to any quantity he requires. But the soldier does not get sufficient for the work he has to do. A recruit in good working condition, by the time he has had his breakfast and his dinner, has got through his rations, and so has nothing to eat from 2 o'clock in the day until 7.30 the next morning. The result is, he goes to the canteen and fills himself with indifferent beer; presently he gets drunk, is put into the guard-room, and returned inefficient for a certain number of days. I commend this to the notice of hon. Gentlemen opposite anxious to encourage temperance—that the best way to decrease drinking among the soldiers is to feed them better, and, in the end, you will find it cheaper. You have now, while you half starve a soldier, to offer every inducement to recruits in the way of bounty, pay, and pensions; but make the men more comfortable, and you will find the aggregate cost will be less. I am the more tempted to bring this matter under the notice of the right hon. Gentleman, because since he has been in office the right hon. Gentleman has done his best to improve the position and to add to the comfort of the private soldier.

(7.35.) MR. MAC NEILL (Donegal, S.): Perhaps I may offer the hon. and gallant Gentleman a statement of a Minister that has some bearing on the point he has raised. The British soldier is underfed, according to the hon. and gallant Gentleman, and may be that is so, for I may remind him that it is considered necessary to increase his rations when he is engaged in battering down the houses of the Irish tenantry. Here is a question that was put to the Secretary for War by the Tory Member for East Antrim (Captain M'Calmont) on May 17 last year, whether he (the Secretary for War) would be prepared to sanction the granting of special allowances to the troops employed for months in aid of the Civil Power in the County of Donegal. This is the answer of the Financial Secretary—

"The troops in question have had an additional meat ration. No further special allowance is contemplated."

It seems, therefore, that the claim to additional rations is admitted when the troops are engaged upon the duty of stirring up civil strife. But I will defer more specific remarks upon this point until we reach the Vote in Committee. What I now wish to do is to turn attention to the position and status of Army Chaplains, and though, through being away, I have not been able to give notice of my intention, the right hon. Gentleman opposite will have had some intimation that the matter would be raised from the questions I have on previous occasions addressed to him. I have pointed out how a great diminution of expenditure would be effected by giving to the parochial clergy, both here and in Ireland, some small addition to their incomes if they undertake the spiritual care of soldiers in their parish. If he has studied the question the right hon. Gentleman will recollect that Army Chaplains for home camps and garrisons are comparatively a new invention. The institution of Army Chaplains was for the purpose of providing for soldiers going abroad that spiritual advice which otherwise they might be unable to have. But the system has been developed, and we now have Army Chaplains at home. I believe there are 88 Army Chaplaincies on the Estimates now; and my suggestion is that these Army Chaplains should—having regard, of course, to vested interests—be superseded by parochial clergy wherever the latter are ready and willing to do duty. By this means you will effect an enormous saving in expenditure under this head. Moreover, as I am informed by officers, and I can well understand that it should be so, soldiers will derive more advantage from the ministrations of the local clergy than from the official Chaplains, who have, more or less, the status of officers, and between whom and the men there cannot be that easy, respectful familiarity which should exist between a pastor and his flock. I speak in the interest of a body of men with whom personally, perhaps, I have little favour, but whom I respect and esteem—the Irish Protestant clergy. The right hon. Gentleman will remember that, as regards the Catholic

clergy, the Bishops declined to entertain the idea. On a former occasion the right hon. Gentleman said that if I could show him that, in my view, I had the approval of the heads of the Established Church he would consider whether he could not make this arrangement for Army Chaplaincies at, of course, a reduced expenditure, availing himself of the services of the parochial clergy of the Church of Ireland. I am now happy to tell him that, having met the Archbishop of Dublin, his Grace, in the course of conversation, said that he also had had his attention directed to this subject and that he cordially approved of the proposal. His Grace is, as the right hon. Gentleman knows, a temporal Peer, and he said he would do his best by his influence in another place to facilitate any efforts here. Without going into particulars, I may state that out of these 88 chaplaincies I have mentioned, and which entail an expenditure of £57,000 a year, there are eight in Ireland costing £9,500 a year. They have large pay and retiring allowances. The Irish clergy now in possession of cures would do the work of these chaplains, and consider themselves well paid for £2,000 a year. It happens that all the stations to which these eight chaplains are appointed are in the diocese of Dublin, and under the jurisdiction of the Prelate whose sanction I have referred to. Of all persons in Ireland the clergy, who are supporters of the present Administration, least deserve to suffer under any sense of wrong from the action of the present Government. It is strange that they should find an advocate in a political opponent like myself; but I have the greater pleasure in supporting their case, because the two Members who may be considered as specially representatives of their interests —the two Members for Dublin University, —owing to their position on the Treasury Bench, are debarred from taking action. It is a question of long standing. It was brought before the present Attorney General for Ireland by his constituents in the University, and it was threatened that if he would not give a pledge to look after the interests of the Protestant clergy they would start a candidate of their own against the Government candidate. On July 2, 1887, a letter was addressed to the present Attorney General for Ireland by one of his constituents, in which it was remarked that up to that time their Representative had done nothing for the Irish clergy who elected him—too busy, I suppose, in preparing legal answers for his chief—and that this would be a proper subject for comment at the next Election. On the same day the right hon. Gentleman replied, saying he would give immediate attention to the questions referred to if elected; and, though he could not hope to have much influence, such as he had should be exercised. Has he exercised any influence? Is it not a deplorable position for the Irish clergy when they have to accept aid, willingly given, from a political opponent? I certainly think Trinity College, Dublin, has a strong claim upon the Government. They should recollect that two-thirds of the electorate are members of the Irish Church, and that they provide a ready means by which the Government are supplied with a constant succession of Law Officers in this House. I may ask, I think, for the redemption of the pledge, that if I can show the consent and approval of the heads of the Church, my proposition should be favourably considered. I have that approval. I can show that there would be a saving of some £6,000 a year, that a material benefit would be conferred on the clergy, and that the change would be in accordance with a strong feeling in the Army.

*Mr. W. H. SMITH: My right hon. Friend cannot respond now, he having exhausted his right to speak, but he will refer to this question when the Vote is reached in Committee.

Question put, and agreed to.

SUPPLY—ARMY ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

1. 153,483, Number of Land Forces.

*Mr. E. STANHOPE: Before beginning the statement which it is my duty to lay before the Committee I wish to acknowledge the kindness of one or two of my hon. Friends who have abstained from moving the Motion they intended to move on going into Committee. One particular case to which I wish to refer is that of the hon. Member for Barrow, because the subject which he desires to

bring forward is one of extreme importance. He desires to invite attention to the best means of promoting temperance in the Army. I confess I feel very strongly on the question, and I think the Committee will be anxious to co-operate in the object the hon. Member has in view. In deference to the desire that we should be allowed to go into Committee he has now refrained from bringing this Motion forward; but I earnestly hope that he will take an early opportunity of doing so, perhaps when the Bill for providing new barracks for the troops is before the House. And I might here mention that in the scheme for re-building the barracks one end we have had in view is that of promoting temperance in the Army. My hon. Friend may therefore rest assured when the time comes for him to bring forward the question that he will meet with a sympathetic reception at my hands, and he will learn the intentions of the Government with regard to the object he has in view. I will now, with the permission of the Committee, give some further account of our progress in the organisation and re-armament of the military forces of the country; and if, in doing so, it is necessary to go again over some of the ground traversed last year, it will be understood that my object is to enable a comparison to be made between the expectations then held out and the results which have been attained. And, again, I must repudiate the doctrine of those who seem to think that, if only the Government will at once spend a large enough sum of money, our defensive position can be made perfect. Our view is altogether different. Without hesitating to ask for increased grants where the necessity is proved, we, nevertheless, believe that it is to improvements in organisation that we mainly owe the great advance in preparation which has recently taken place, and it is to the same means that we must undoubtedly look to perfect our schemes of defence. Nor, on the other hand, while the re-armament of our troops and of our fortresses is going on, is it possible to look forward to the probability of any considerable reduction of expenditure. Every item of expenditure, to which attention was called during the investigation of the Committee on the Army Estimates, has been most carefully scrutinised; and the establishment for the present year, upon which the amount of the Estimates so largely depends, is the least which any Government, bearing in mind its responsibilities in colonial stations, and the necessity of furnishing drafts of mature men for India, would feel justified at present in proposing. And here I would also venture to say when it is urged that we, with our small Army, ought easily to attain to a rapidity and simplicity of mobilisation, which in some foreign countries is accomplished for much larger forces, that it is not possible to institute a fair comparison in respect of the difficulty of the two operations. If we were dealing with a totally new situation, when any mode of enlistment, or of distribution of our forces was open to us, the case would be simple. But the double function of our Regular Army in having to supply the large annual demands for India and the Colonies while acting as our primary defensive force at home, the uncertainties of the system of voluntary enlistment, the distribution of our troops—necessary for civil purposes, and in the existing position of our barracks, but ill-adapted for rapid concentration—and the peculiar constitution of our Auxiliary Forces, necessarily makes the task of arranging in all its details a system for the sudden mobilisation of our whole defensive strength a complicated and a serious one. The plan on which we are generally proceeding is that indicated by me last year. It was the result of the fullest consideration by my present military advisers, and also of the opinions and criticisms which we obtained from other responsible officers hardly less eminent in their profession. I am satisfied that the reception it obtained last year fully justified us in assuming that upon the lines then explained we might safely proceed with general approval. To working it out in all its details both Lord Wolseley and Sir Redvers Buller have given the closest attention under the supervision of his Royal Highness the Commander-in-Chief, and the result is that very great progress has been made. This plan, of course, assumed that our defensive forces had two main objects to provide for—first, the land defences of all our ports and coaling stations—a task greater in magnitude and importance

than any of a similar character undertaken by any European Power; and, secondly, the mobilisation of all our remaining land forces of all descriptions in such a way as to furnish a field army for the first line of defence, and a great Volunteer army occupying certain strong defensive positions in the second line. Every one of the steps necessary for carrying out such a programme with the least possible delay ought to be settled and worked out beforehand. And, indeed, I now hold in my hand three confidential tables of no little interest. The first shows the place to which every unit of our defensive forces is assigned in the event of sudden emergency. The second shows every order which would have to be given at headquarters or by officers in local command in the same event and the degree of preparation made for carrying it out; and the third contains all the regulations for mobilisation in full detail. I do not pretend that every point in it is settled; nor, in these days of constant advance in organisation, in tactics, and in equipment, ought it ever to be allowed to escape constant and minute revision. It is, of course, a paper organisation, and no paper organisation can really be pronounced satisfactory until it has been tested. But in this country a general test of all our arrangements would not only be most costly, but would also be felt as a disturbance in all branches of our national life, quite out of proportion to the advantages to be derived from it. The whole scheme is, however, based upon decentralisation, and upon requiring as little as possible from headquarters at the moment of emergency. Much responsibility is therefore transferred to the commanders of local units, and the confusion which would inevitably have resulted under our old system of centralisation is already to a large extent got rid of. The fact is that the primary condition of an effective and rapid mobilisation is decentralisation, and in no respect is this more essential than in that of stores. The preparations under this head are not as yet complete, but much has already been done to relieve the block formerly existing at Woolwich. At present, for instance, Aldershot is provided with every article of equipment necessary for the force there, marked to the corps to which it is assigned. Some of the other principal storehouses at Southampton, Caterham, Chatham, and in other places are also practically complete, and I have every reason to know that the work elsewhere will be rapidly advanced during the year. Putting aside questions of armament, with which I propose to deal separately, the preparations for carrying out the defence of our ports and coaling stations at home and abroad are in a very advanced condition. The state of the submarine mining defence is very satisfactory. I stated last year that the military ports at home and abroad are now all provided with the necessary buildings and stores, and, I might add, with the requisite force of submarine miners. With two or three exceptions only, the same may now be said of all the coaling stations and commercial ports, and every year's training and experience will add to the rapidity with which the complete system of mine defence can in each case be laid down. The garrisons required for all these places amount to no fewer than 125,000 men, besides the native levies, which, where practicable, we are raising, or have raised, at certain foreign stations. It is hoped that some of our modern inventions—such as the position finder, which is now in use in many places—will enable this number to be reduced. But the detailed garrison required for every place is arranged, and at certain foreign ports, where considerations of health or other reasons of public policy have prevented the full garrison from being always maintained in peace time, arrangements are in progress for the instant despatch at any moment of the necessary reinforcements. After providing for these necessary garrisons the whole remaining forces of the country are organised in the two lines of defence to which reference has already been made. The first line of defence, consisting of Regular troops and some battalions of Militia, not required for garrisons, constitutes a field army divided into three Army Corps, including some 110,000 men. For this army there is an ample proportion of Artillery and of cavalry and of other arms of the Service generally, with the exception of certain small units purposely left to be organised on mobilisation. The places of concentration for every unit are laid down, as well as the stations from which they

are to draw every portion of their equipment. By this means the commanding officers of the different units will now know what there is ready for them in the event of rapid mobilisation, and where and how to get it without reference to headquarters. Until certain new storehouses, however, of which mention has been made, are complete, some of these stores cannot yet be said to be in the most convenient positions. The Committee will be pleased, and possibly surprised, to hear that the necessary equipments, such as harness, saddlery, vehicles, and camp equipment for all this force are in existence, with the exception of a few articles which we are certain of obtaining very rapidly. The places of concentration are so arranged as to be in every case in the neighbourhood of an important railway station, so that any portion of the force can be transferred at short notice to the threatened point. And, lastly, a list of all the officers required for the commands and staff posts is being prepared, and will be annually revised. The composition of the whole of this field army has been laid down in detail. Its speedy mobilisation, of course, necessitates the calling out of the Army Reserve and of the Militia; but it depends, also, as is the case in all foreign countries, upon the efficiency of our arrangements for requisitioning the additional horses that are necessary. Upon this subject, also, our position is far more satisfactory than it has ever been hitherto. Under the system established two years ago, we have now upon the register, as available immediately on the occurrence of an emergency, the full number of 14,000 horses, of which more than 3,000 are riding horses, broken to bit and bridle. This is a most encouraging result of the new system, which is being supported by an increasing number of horse-owners throughout the country, and I may mention specially many masters of foxhounds, to whom, as well as to other owners, our thanks are due. In addition to this number, the Remount Establishment, having now a thorough knowledge of the best sources of supply throughout the United Kingdom, would be able at very short notice, and by means of additional officers, to put in force the power of compulsory requisition with which the Government are now armed. The Remount Establishment, under the able superintendence of General Ravenhill, has worked well in other respects also. Good reports reach us as to the horses supplied to the Army generally. I saw the other day a statement in one of the daily papers, of which much has since been made, that we were short of the number provided in the Estimates by no fewer than 1,200 horses. I am glad to say that that was an entire error. With the exception of one regiment, which was not ready to receive the 80 horses which could easily have been provided for it, the Army was at that time complete up to its establishment, the ages of the horses being also satisfactory. The second line of defence will be occupied solely by Volunteers. To this purpose, after providing for the necessities of purely local defence, we are able to assign at least 18 brigades of infantry and 268 guns. It may be said that this force is not sufficiently mobile to constitute a really efficient field army; to which it may be answered that it is not so intended, and that it may be doubtful whether with the comparatively small amount of time which the mass of our Volunteers (and the officers, perhaps, in particular) are able to give to their work it would be possible to organise them in the first instance as a field army. But for the purpose for which they are intended they are admirably suited and can be most readily utilised; and the prospect of filling, as every Volunteer now does, a definite place side by side with the Regular Army in the general scheme of defence has undoubtedly exercised a salutary influence on all branches of the force. The place of concentration for each brigade and battery is fixed, and provision is being made for their receiving on arrival at it all such necessaries as tents, waterproof sheets, and entrenching tools. For the concentration of these forces, and for many purposes connected with mobilisation, it is obvious that much must depend upon the speedy organisation of civil transport. This work has been thoroughly taken in hand, and there appears to be no doubt that arrangements can be made for sufficient preparation beforehand to enable ample transport to be ready at short notice. It is well-known that these points of concentration have been most carefully selected at the places most likely to be threatened, not only on the chalk range between London

and the sea, but also at other important places. Most of the field work at these points is left to be rapidly carried out when emergency arises. In certain cases the actual contracts will be prepared and arranged for. But it is only in a few stations of primary importance that any works have been undertaken, and even upon these the expenditure will be inconsiderable. It is mainly directed to providing the store-houses from which have to be drawn without a day's delay certain essential articles. With two exceptions, all these necessary sites have been purchased, and in one or two cases reservation rights to prevent building on points of primary importance have been secured. The formation of our second line of defence may, therefore, I think, be fairly said to have made very substantial progress during the year. The success of the 19 Volunteer brigade camps has been one of the most satisfactory features of the year. The brigadiers, who deserve much public recognition for their zeal, patience, and discretion, appear to have been well seconded in almost all cases by the commanding officers. A highly satisfactory spirit of emulation has been aroused between commanding officers, and the assembly of the corps in large numbers under proper supervision and under military discipline has been popular with the force and productive of much public advantage. The experience gained will be valuable in the event of emergency, and nothing connected with the experiments was more satisfactory than the way in which in some cases the whole arrangements were planned and carried out without any assistance from officers of the Regular Army. Nearly 39,000 Volunteers, out of a total of 100,000 who went into camp, were present under the new brigade organisation. I am afraid of trespassing unduly on the time of the Committee, or I would gladly read some portion of the Report of general officers upon the results of this experiment. At headquarters, too, a good deal has been learnt from it, and one or two mistakes discovered last year will be remedied. The success of these brigades is now sufficiently assured to induce me to divide several of those which are at the present time composed of too many battalions. It also gives me great pleasure to say that the state of the newly-formed Volunteer batteries of position is most creditable to all concerned. Officers and men alike show great zeal in the development of this important branch of the Service, and arrangements are therefore now being made to issue guns to 12 more batteries. We shall then have no fewer than 316 guns manned by Volunteer Artillery. We propose to relieve all these batteries of the cost of the necessary harness; and in order still further to promote their efficiency the permanent staff sergeants of all Volunteer (as well as of Militia) Artillery, some of whom have been long absent from the work of the Royal Artillery, will be required to undergo a further course of instruction at Woolwich. I think, therefore, the Committee will see that much has been done to advance the re-organisation of the Volunteer Force. A good deal of money has been spent, even in the present year, and I certainly do feel hurt that those who represent the Volunteers in this House should have taken this opportunity of passing a vote of censure upon myself. I know that I have done a great deal more for the Volunteers than was ever done by any previous Secretary of State for War. I know that I have added to the Volunteer Vote in a manner far in excess of what has been done, or is likely to be done, in anything like the same time. I believe that at the present moment the Volunteer Force is more ready and able to perform its duties than at any period since its first establishment. I confess, therefore, I was not prepared to find hon. Members who were connected with the Volunteer Force assisting in any way what was obviously a Party manœuvre.

MR. CAMPBELL-BANNERMAN: A Party manœuvre?

*MR. E. STANHOPE: Yes. I know the right hon. Gentleman did not take part in the Division; but all the right hon. Gentleman's Colleagues who did take part in the Division voted against the Government, although they well knew that after the Division in the late Parliament, when the right hon. Gentleman was placed in a minority, nothing was done, and that the present Government had the inheritance of that vote, and in consequence added £160,000 a year to the expenditure of the Volunteers. But I will now pass from that matter and come

to one or two general questions. In one respect I am glad to be able to report a marked improvement in almost all branches of the Service. Shooting is better all round, and with the introduction of the new rifle, almost without recoil, and of remarkable accuracy, yet better results ought to be obtained. In all branches special encouragements have been offered for good shooting, and increased opportunities of practice have been afforded, not only in individual, but also in field firing. In order to give the Committee some idea of this improvement which has resulted, I asked the Commandant of the School of Musketry at Hythe to make a table, comparing the results of the last three years. Speaking, first, of the Regular Infantry, he reports to me that the figures show a very great improvement all round since 1887. The percentage of marksmen has nearly doubled, while that of third-class shots has diminished in the same proportion. In the Cavalry, the improvement is described as "considerable." No regiment is now rated as bad, and the proportion of third-class shots has been reduced by 10 per cent. The shooting of the Militia shows a great advance. Whereas, in 1887, only 17 battalions were classed as "very good," no less than 66 are so described in 1889. The percentage of third-class shots has fallen from 38 to 26. With the increased training in musketry now to be given, we may expect to see a vast improvement on these figures. Until quite recently, target practice has been very seriously neglected in the Yeomanry. Steps, however, have recently been taken to introduce a uniform course, and to offer special inducements, and the progress made is described as "fairly satisfactory." In the case of the Volunteers, it is much more difficult to make a comparison with former years, because until 1888 no returns were rendered to the School of Musketry. The performances of that year are described as "fairly satisfactory," in comparison with that of the Regular Army. The percentage of third-class shots is now very small indeed, and the increase of marksmen and first-class shots is considerable. Regulations as to the issue of ammunition have recently been made, with the view of securing that it is devoted to its legitimate purpose of improving the general shooting of the whole force. In order further to improve the shooting of the Volunteers, additional Inspectors of Musketry have been appointed, and a special course has been held at Hythe to enable Volunteer officers to qualify as musketry instructors. The 70 officers who attended showed the greatest zeal, and 87 per cent. of them obtained certificates. It is right also to mention that Colonel Tongue and his entire staff, in a most public-spirited manner, gave up their Christmas holidays to help in this most laudable object. I promised last year to consider further the possibility of calling out for training some portion of the Reserve. The difficulties in the way of doing so are, no doubt, very grave. If the feeling on the part of employers against employing Reserve men, which at one time threatened to be serious, were to be aroused by any step which withdrew the men from their ordinary work, the very existence of an Army Reserve might be endangered. And we had full warning from many large employers of labour that any system of regular annual training would compel them to discontinue the employment of Reserve men. On the other hand, the necessity of giving additional training in some form has been greatly increased and intensified by the introduction of the magazine rifle. It would be highly inconvenient, not to say dangerous, if, upon a sudden mobilisation, men were recalled to their regiments without any knowledge of how to handle the new weapon. Accordingly, we have determined to take a tentative step this year in this direction, and provision has been made in the Estimates for the purpose. By issuing a certain number of magazine rifles to all parts of the country we shall be enabled to secure that all men of the infantry passing into the Army Reserve this year will have learnt the new drill, and we propose to call upon men of the Infantry who passed into the Reserve last year to take steps to acquire similar knowledge. But, in doing so, we propose to establish an elastic system, capable of modification, to meet the requirements of employers and employed in all parts of the country. The minimum time which is thought to be required is four whole days, but, when convenient, the drill can be gone through in eight half or even 16 quarter days. Every man will be allowed to choose the

time of year most convenient to his employment, and to drill at the nearest depôt, centre, or other convenient place, and he will, of course, be paid for the days which he gives up to drill, besides the usual travelling allowances. It may even be possible, in the event of a large number of men being in the employment of one firm, to minimise the inconvenience by sending instructors to train the men in the vicinity of their work. Our great object will be to try and secure this amount of training without risking the loss of employment for any Reserve man. We are very hopeful that this experiment will, if successful, insure that a large proportion of the Reserve will, if suddenly called upon to take their place in the ranks, be thoroughly acquainted with the new drill; and I think the Committee will admit that if we attain that object we shall have done something very important and desirable for the defence of the country. The new organisation of the Army Service Corps appears to be working as smoothly as could be expected. A crucial re-organisation has been effected without the assistance of increased pensions or special retirements, and it is exceedingly satisfactory to find that never for years has such a desirable class of officers attempted to gain admission to this branch of the Service, although the large number of officers still remaining on the old establishment enabled only a small proportion to be accepted. This re-organisation, for which credit is so largely due to the present Quartermaster General, Sir Redvers Buller, has rendered possible a general concentration of Staff duties, has undoubtedly led to a very considerable economy, and promises further results in the same direction. The Committee are aware that the condition of the Militia has occupied the close attention of the Government during the past year. A conference of commanding officers of Militia, summoned by me, brought to my notice many suggestions, and these have since been threshed out by a Committee, under the presidency of Lord Harris, and amongst the many services rendered to the State by the late Under Secretary of State for War during his term of office, none, I think, is more conspicuous than the compilation, with the assistance of his colleagues, of the admirable and exhaustive Report recently presented to Parliament. I saw the Committee described the other day as a Departmental Committee. There never was one of which such a description was less accurate. Of the seven members, two only were connected with the War Office, one was an officer in the Army, and four were commanding officers in the Militia. It ought to receive, therefore, as it has received, the full confidence of the Militia. It is most satisfactory to find from that Report that there has been no deterioration of late in the efficiency of the force generally, nor is there any ground for the fear expressed that it has become less popular. The proposals made by the Committee have been fully considered by Her Majesty's Government, and I should like to refer to several of them. Probably the most important of these recommendations refers to preliminary drill. Now the Committee, while pointing out that it was the general wish of commanding officers to revert to the old system of preliminary drill, decline to recommend it. Their proposal, which they stated would, to a large extent, accomplish all the suggestions or complaints that had been made, without injury to the depôt system, was to increase the recruit training, part of the time being spent at the depôt and part at the battalion place of assembly. This has been accepted by the Government, and the recruit training will be increased by seven days, three being spent at the depôt. The musketry training of the recruits will be carried out at the Militia headquarters. We have also been able to sanction in great part the proposals made for the better instruction of Militia officers, and for improving the efficiency of the non-commissioned ranks. We propose, further, in continuation of the policy hitherto pursued, to get rid of billeting wherever possible, and to issue tent boards in all cases where necessary. For all these provision has been made, and I have also been able to commence the issue of flannel shirts, in accordance with another recommendation of the Committee. A Memorandum will soon be issued, showing in further details the changes it is proposed to introduce. It will be seen from it that most of the

recommendations have been accepted, and I trust that the force generally will acknowledge that we have dealt with them in no grudging spirit, and that even during the present year the changes made may increase its efficiency in all respects. I now come to the question of warlike stores, and here I may say that the work thrown upon the Department at the present time is not only unprecedented in amount, but is unequalled by anything which has been done in other countries under like conditions. I do not allude only to the total amount of the orders for land and sea service which pass through the War Office, and which in 1889-90, reached the value of 4¾ millions sterling, and though, no doubt, a large proportion was given out to contract, yet it will be remembered that the whole of the stores, whether coming from the Ordance factories or from private contract, have to be independently inspected and tested before being passed into the Service. Indeed, the new Naval programme and the great number of guns and rifles coming in for land service during the present year, in addition to the large repayment demands from India and the Colonies (raising the total value of the stores to be inspected to £6,000,000), was likely to cause an excessive strain on the inspection department, for which special provision has been made. The progress being made with the issue of heavy breech-loading guns can at last be spoken of with satisfaction. The first place is due to the Ordnance factories, which have, in the case of guns, been able to adhere to their promised dates of delivery, and who have just issued three 9.2in. guns for the new Naval programme, completed within six months of the passing of the steel forgings—a highly satisfactory rate of production. The same praise for adherence to promises cannot be given to our contractors. In all cases, however, the increased plant necessary for completing heavy guns has been pushed forward, and the grounds for delay have diminished, and in the case of Sir J. Whitworth and Co., in particular, a marked improvement in the rapidity of production has taken place during the year. The result has been that we have been able to issue a large number of heavy guns. In the course of my speech last year I said that we hoped to receive 79 guns over 6in. in diameter during the period ending December 31, 1889. As a matter of fact, we have received only 67, though the Ordnance factories exceeded the number expected from them. But compare these figures with those of 1884-5. In that year the whole number of breech-loading guns over 6in. in diameter, either for land or sea service, was six, and one only was a 12in. gun. Since then the War Office called to its assistance some of the great manufacturing firms in this country, and in 1889 there were delivered from all sources, for naval and military purposes, 448 breech-loading guns, ranging in calibre from 4in. to 16·25in., besides machine and quick firing guns of various sizes to the number of between 400 and 500. The improvement in trade and the strikes which have taken place in various quarters tend to delay the delivery of some of our material; but we expect during the present year to obtain a more rapid rate of delivery, especially of big guns. And though I have usually been cautious in accepting the estimates of time put before me, yet, if our anticipations are realised (and the gradual removal of recent causes of delay enables me to speak with more confidence), we ought to be able to show the following results:—In the first place, at the present moment only one ship of the Royal Navy can be described as waiting for any portion of her armament. All the other new ships, some of which have recently come forward before the date expected, have now been completely armed. And we have already proved and passed some of the guns for the new programme. The exception is Her Majesty's ship *Sanspareil*, in which case the delay is due to the transfer of one of her 110½-ton guns to the *Victoria*, in consequence of the rejection of one of the guns from the latter ship, and the consequent determination to strengthen the other guns of the same calibre. There can be no doubt that the tests to which all our guns are subjected are more severe than in foreign countries. Little is ever heard of any failures or accidents which take place abroad, while the smallest *contre-temps*—which must, in all conceivable circumstances, sometimes occur—is in this country reported and exaggerated. This, and the discussions which have taken place

in Parliament, have naturally led our responsible experts to impose and to enforce tests of exceptional severity; and though no doubt delay is thereby caused, on the other hand the nature of the tests which every gun has to pass enables the War Department to place them on board ship after proof with an absolute confidence which has hitherto been fully justified. Secondly, the armament of the coaling-stations ought at last to be completed, with a few small exceptions. The long delayed guns for Singapore have all been despatched to their destination. Those for Hong Kong are now beginning to go out. The guns still required for Table Bay and Aden (at which places a portion of the armament is already mounted) should soon follow. The issue of the remaining guns to Colombo, which begins almost immediately, will be completed during the year, and soon with the remaining coaling-stations. This portion of our armament is, therefore, drawing to a conclusion. Thirdly, we ought to receive, with few exceptions, all the guns ordered under the Imperial Defence Act for the re-armament with modern guns of our Imperial fortresses at home and abroad. This work is being pushed on in all directions; and though it would not be right for me to enter into particulars, much of it has been completed. The Committee will recollect that this expenditure was authorised in the middle of 1888, and that three years was the time assigned for its completion. More than half the guns contained in this programme have actually been received within 18 months. The most rapid progress has been in the case of Portsmouth, where the great part of the work undertaken has been already completed, and of Harwich. In Malta, Gibraltar, and the Thames, much work has been done; and the emplacements having been generally completed, the next few months will see much more rapid progress in mounting heavy guns. I do not think I am going too far in claiming that this result is satisfactory, and all the more if it is, as it should be, practically completed within the time fixed (in spite of the great additional strain caused by the Naval Defence Act); and I may add also that it is being carried out within the Estimate originally made. The work of the Ordnance factories, to which allusion has already been made, will best be illustrated by the Report of the Director General, which will be circulated to hon. Members, and gives an account of work done in all Departments. Special attention may be called to the steps taken for consolidating some of the services hitherto separately performed in different factories at Woolwich, which ought to tend to economy and efficiency. The issue of the new magazine rifle commenced in December last, and we have every reason to hope that during the present year all, or nearly all, the regular troops in this country and in India will have been supplied with this weapon.

MR. CAMPBELL-BANNERMAN: During the financial year?

*MR. E. STANHOPE: Yes.

MR. CAMPBELL-BANNERMAN: You said "the present year."

*MR. E. STANHOPE: I meant the next financial year. It is being produced at two Government establishments and in the workshops of two contractors in London and in Birmingham; and from the moment of the adoption of the final pattern no hitch of any importance has occurred in manufacture. Greater difficulty has been experienced with the ammunition, as the absolute necessity of issuing a powder capable of withstanding any variations of climate has as yet prevented the adoption into the Service of any nitro-powder; nor can any test except that of time finally decide this matter, as some foreign nations have found to their cost. The ammunition at present in use is filled with compressed pellets of black powder. But the smokeless powder now being issued for experiment is one which is believed to be superior to that in use elsewhere, and it has hitherto withstood the severe tests to which it has been exposed. Arrangements for its manufacture at Waltham are very nearly complete. In order to enable all the troops of the Regular Army to carry only one sort of ammunition, carbines and machine guns of the same calibre are in process of manufacture. The re-armament of the Horse and Field Artillery is progressing favourably, and would have been nearly completed now except for a change in the pattern of the carriage. But in a few months' time the whole of the service batteries on the home establishment, and three of the depôts, will be armed with the new 12-pounder

gun, leaving the 13-pounder in the hands of three depôt batteries only. Progress has been made in the manufacture of the Brennan torpedo, and in preparing the necessary appliances for its use; and experience is proving that it constitutes a more formidable addition to our defence than could ever have been anticipated. In the Report of Sir James Fitzjames Stephen's Commission there is a recommendation that some safeguard should be provided against the possibility of an undue depletion of warlike stores at any time. Her Majesty's Government have for some time had this matter under consideration; and although I am far from saying that the statement I am about to make fully satisfies all requirements, yet it will be admitted that it goes a considerable way towards doing so. The last completed store account is, of course, that for the year ending March 31, 1889. The statement giving approximately the valuation of the stock, which is inserted in the Appropriation Account, has been framed upon a new basis. Instead of the old principles of valuation, under which old stores always retained for account purposes the value at which they had been accepted, all warlike stores are now valued as serviceable, repairable, doubtful, and unserviceable. The result has been, of course, to diminish the total estimated value of stores already in stock, and the number and value of the stores at the chief store depôts have also been reduced by the decentralisation which has taken place, a certain fixed reserve being held at the points of concentration. I am able to certify that the result of an examination shows that the general stock of reserve stores was fairly maintained during that year. It is easy to show what has happened since, because in the year 1888 the new form of Vote 12 was divided into two columns, the one showing the amount and value of the stores necessary for the annual maintenance of our stock, the other of the stores prepared for equipment and reserve, or, in other words, for addition to the stock. The amount taken for this purpose will be seen in the Votes, and after deducting the cost of annual maintenance and of unproductive expenditure the value of the amount estimated to be an addition to our stock is taken at £963,070 in 1889-90, and in 1890-91 at £1,249,242. My attention has been specially called to the importance of establishing such a reserve of clothing as will enable the whole of our forces in the event of sudden mobilisation to receive certain necessary clothing, and of making provision also for the wear and tear of a campaign. After very careful consideration, and taking into account the great producing powers of the country, I have laid down the basis of this reserve, and provision is made upon that basis in the present Estimates for completing it in every respect. The Reports upon the clothing now issued to the various branches of the Service are satisfactory, and in the Reports received from commanding officers the proportion of serious complaints to the total number of Reports is small, and annually decreasing. Various new patterns are being introduced into the Service, with the object always in view of facilitating rapid mobilisation. And here I should like to say incidentally that every care has been taken to guard against the evils of sub-contracting as pointed out by the Committee on the Sweating System. All contracts of ready-made clothing now contain a clause making it necessary for the contractor to post up in his factory the rates to be paid to his workpeople. And so also in the case of accoutrements the Director of Contracts has, during the past year, visited all the workshops in London where Army contracts for accoutrements were being carried out. Generally speaking, the work is done in factories, but when, to meet the convenience of women workers, leave to employ home hands has been given, care is taken that regular wages are paid direct to the workpeople. I hope that the close watch which will continue to be kept will completely prevent the probability of sweating in connection with our contracts. And, lastly, we have examined also the question of providing reserves of food at certain fortresses which, in the event of a great naval war, might be deprived of their ordinary sources of supply, and we have made full provision for this purpose in all cases where present circumstances appear to render it a necessity. During the past year special attention has been paid to the subject of rations. It will be recollected that an independent Committee, appointed by me, reported that the present meat ration, if properly managed, was sufficient, but recom-

mended an improvement in the bread ration. This recommendation has been acted on, and the appointment of Inspectors of rations, specially trained in London, has proved of great value, especially at the smaller stations, and has resulted in a similar improvement in the contract supplies. But I have also great confidence in the general interest in the subject which has been evoked among regimental officers. I have now only to ask pardon of the Committee for the length to which my remarks have extended. There are many subjects which have been necessarily omitted or only lightly touched upon. But some evidence has been offered to show that there never was a time during peace, when in all departments of the Army greater attempts were being made to improve in efficiency and preparation; and if it is not presumptuous in me to express an opinion, which has been formed from hearing the opinions of those best qualified to inform me upon the subject, not the least satisfactory or encouraging feature in the general review which is now submitted to the Committee, is the fact that, for some years past, the military efficiency of our officers has gone on steadily improving, and there is amongst them as keen a desire to learn and make themselves thoroughly qualified as prevails in any Army in the world. But something should be said also for the various departments of the War Office itself, which has been exposed to exceptional labour during the last few years; and the time will come when the great advance which has recently been made in all our preparations will demonstrate that to them also no small share of the credit is to be attributed.

(9.47.) MR. A. O'CONNOR (Donegal, E.): I do not propose to attempt to follow the right hon. Gentleman over the very wide and interesting field which he has traversed, but, if he will permit me, I will congratulate him upon the singular mastery of his business which he has shown on this occasion, as he always does show. It is perfectly easy to follow and understand the proposals of the right hon. Gentleman, but nevertheless I think it perfectly impossible under the present system that anything like an adequate discussion can be taken on the matter laid before us. I cannot help thinking that the departure from the old system was a mistake. A few years ago the Secretary of State for War made his statement upon the Army Estimates before the House went into Committee, and then each branch of the service was intelligently and intelligibly discussed on the Vote appropriate to it, but early this evening we were told by the First Lord of the Treasury that it is absolutely necessary that the Vote for men and money should be taken to-night—that we must vote six millions sterling to-night, and that any discussion must take place subsequently. To my lay mind that appears a very extraordinary proposition, because when we come to the Vote for stores or clothing, for instance, we shall be told it is perfectly useless to propose a reduction because the House has already passed the Vote which covers the pay of the officials. Now, I desire to make a few remarks upon some of the statements which fell from the right hon. Gentleman. The right hon. Gentleman spoke about the system which is now being adopted for mobilising the forces, so as to have a first and then a second line of defence, but he admitted that this was a paper scheme at best, and that it was not intended by the Government to test it in any practical way, because the testing would involve a very large expenditure of public money. [MR. STANHOPE: Any general test.] Well, I suppose a test must be of some magnitude. But the French Administration did not think it was a waste of public money to mobilise their forces a few years ago in the Southern Departments, and anyone who watched the result of that experiment, who read the reports, and who took the trouble to inquire what was done in consequence of the mobilisation, will see of what immense value some practical test upon a scale of some size has in a matter of this kind. Let me remind the Committee that only a short time ago it was found that, notwithstanding the large sum spent upon sabres, many of them would not stand the test of practical warfare. In these Estimates there is an immense increase for inspection in connection with the stores. But the increase comes rather too late. If the inspection had taken place some years ago you would not have had all these deplorable revelations to be ashamed of. And so it is with regard to

mobilisation; it would be very much better to spend perhaps a substantial sum of money in testing practically your Mobilisation Scheme, so as to find whether it is anything more than a mere paper scheme, than to wait until the hour of trial comes. I doubt very much whether, as a matter of fact, it is necessary to spend a very large amount upon mobilisation. The amount spent by the French was not very great at all compared with the Army expenditure. You have the means within the limits of the figures in these Estimates to economise the sum, which will go a very considerable way towards paying the expenses of, at any rate, a limited test. I heard Lord Wolseley say, before the Royal Commission on Civil Service Establishments, he was satisfied that a very large amount of money was wasted every year in a needless movement of troops—shifting them about from one town to another, and from one set of barracks to another. Why cannot you effect a substantial reduction by diminishing the useless movement of troops, and spend the money upon a movement which need not last more than a week or a fortnight, but which will furnish a good test of the worth of your paper mobilisation? But there is another point of view from which I desire to look at these Estimates. We have been accustomed to see them submitted to the House under a very considerable number of heads. Last year they were submitted in 25 different Votes, then this year the number of Votes has been reduced to 13. Vote 1, for instance, covers general staff, regimental pay, and other charges. There was a separate Vote for the chaplains' department, a separate Vote for military prisons, a separate Vote for the Army Reserve, but now all these are lumped together in one huge sum. The first thing that occurs to me is that under the new system the Government will have the power to utilise the balances under one or more of the Votes I have mentioned by applying them to services to which, before this year, they could not have been applied. The First Lord of the Treasury undertook with regard to the Civil Services that there should be no increase in the free hand of the Government. I should like to ask the Secretary of State for War what he proposes to do with regard to Vote 1; whether the old rule as to balances will obtain? Whether the control of Parliament is not substantially affected by the alteration which has been introduced is a matter worthy of consideration. The right hon. Gentleman points out in his Memorandum that the reduction in the number of Votes is made in accordance with the recommendation of the Estimates Committee of two years ago. The Committee recommended that the War Office and the Admiralty should, in connection with the Treasury, submit schemes to the House. [*Cries of* "Oh!"] I was on the Committee and I remember the recommendation very well, but I don't trust to my memory. I have refreshed it by reference to the printed Report. It is true that certain of the schemes of Votes and Estimates have been referred to the Public Accounts Committee, but that Committee cannot deal with them in, at any rate, one aspect, and that is the Constitutional check which the House of Commons has, or is supposed to have, and ought to have, upon the sums which are appropriated for different branches of the public service. I think the control of Parliament is very materially affected by this unauthorised alteration in the mode in which the Estimates are presented to the House. There is another point on which I should like information. The Ordnance Factory services which have been separated from the other Army services are henceforth to be managed on commercial principles, but in the Estimates, as now presented, I find a number of different charges, all on account of the ordnance factories. Throughout the Estimates there are charges which ought to be put in the Ordnance Factory Vote, and ought not to appear in these Estimates at all. Again, there is the question of recruiting. Recruiting, however hopeful the Inspector General may be for the present year, compared with past periods, is not all that the War Office may wish it to be. How does the right hon. Gentleman expect recruiting to be satisfactorily carried on when, in some respects at least, the treatment which the War Office gives to soldiers is so unfair, not to say cruel? I do not only refer to the very great distinction which is made between officers and men; all the world knows how marked that distinction is.

You have two men equally heroic going into the field. Both are shot. One is an officer, and the other a private soldier. The widow of the officer is placed on the Pension List, the widow of the soldier may go to the wash-tub or the workhouse. But let us take the case of men who are not shot. I have in my hand the discharge documents of a man who served for over a quarter of a century, and he is now 82 years of age. He enlisted in the year 1824, and served for over 16 years without having the least thing recorded against him. He was eventually discharged with a good character; but after he had served 16 years he found himself in Canada, where some of his relatives had emigrated. He went to see them, and, unfortunately for himself, he had a certain amount of conviviality in their company. He drank excessively, and was not fit to go back to barracks that day. On the following day, before he had recovered from the effects of the drink, the picket found him and brought him back to head quarters. What I have stated was the whole of his offence. He was charged and tried by Court Martial as for desertion—a technical offence under the regulations which at that time obtained. What was the result of his conviction? Why, although the man was only away from barracks for 22 hours, and never intended to run away, the sentence was forfeiture, not only of the claims of his 16 years' service, but of all future possible claims for reward or pension. The man served 10 years more, when he received his discharge with a parchment certificate declaring him to be of good character. He was discharged in Western Australia, where he has lived ever since. Although he received a good character on leaving the service, the punishment was strictly enforced and no pension was granted. He is now 82 years of age. The man never contemplated desertion at all, but had merely been out on a booze with some friends who were emigrating to Canada.

*Mr. BRODRICK: What was the date of his final discharge?

Mr. A. O'CONNOR: I think it was in 1856, but I will pass the certificate over to the hon. Member. How can men be expected to join the service with such a monument of injustice before them? I shall be glad to know what the right hon. Gentleman has to say with regard to the appropriation of these different Votes.

*Sir W. BARTTELOT (Sussex, North-West): I desire to say a few words on the most interesting statement we have heard from my right hon. Friend. I must say I am surprised he did not mention the alteration made in the Estimates and tell us that there are four Votes now included in the first Vote, namely, General Staff Pay, Chaplains' Department, Staff of Military Prisons, and Army Reserve Corps. It would be as much as we could do to discuss one of these Votes properly to-night. I venture to hope, however, that we shall have ample opportunity later on of discussing the questions which have been brought before us to-night. The first question which struck me was one with regard to our Army at home, in connection with our Army in India, and in the Colonies. My right hon. Friend stated clearly and explicitly the difficulty that we have in regard to this particular question. He would not deny for a moment that we deplete our Army at home to keep up our Army in India, and he would not deny, he was pressed closely, that if we wish to send one Army Corps fully furnished and equipped into the field we shall have to send out some of our Army Reserves. I say that the first thing a nation like this ought to do, having regard to what other countries are doing, should be to dissever its battalions at home from those abroad—to relieve the Army at home of the task of having to fill up gaps in the Army in India. I have stated this over and over again, and am glad to see that some of the recommendations that have been made in various parts of the House have been embodied in the statement of the right hon. Gentleman, for there is nothing more important than that we should have an Army at home which is thoroughly efficient, and I have no hesitation in saying that at present that is not the case. What was the next thing the right hon. Gentleman stated? He said—and I was glad to hear it—that the stores have been decentralised, and that is a most important matter, and one deserving of every consideration. I noticed that the right hon. Gentleman did not say that there were sufficient stores for one Army Corps at Aldershot or elsewhere.

*MR. E. STANHOPE: I stated that we had sufficient for the whole 120,000 men.

*SIR W. BARTTELOT: We do not want to know what we have on paper, but we want to see at Aldershot a whole Army Corps fully equipped with its general officer in command, all its other officers and its stores. Until we see such an Army Corps the nation will not believe that we have got it. I was delighted to hear that the defences of our coaling stations are nearly complete. There was nothing more damaging to Governments which preceded Her Majesty's present advisers—I do not mean on one side of the House more than on the other—than the complaints which at one time used to be constantly made as to the defencelessness of our coaling stations. My right hon. Friend said that there were 125,000 men employed in our forts and coaling stations, but I suppose that includes Militia and Volunteers, and also native levies?

*MR. E. STANHOPE: No: everything but native levies.

*SIR W. BARTTELOT: I am afraid that the proportion of regular troops employed at the coaling stations is very small. As to the Army Reserve and Militia, I was glad to hear my right hon. Friend say that the latter branch of the service has been put in a better state than it was, for I consider there is nothing more important than that branch of the Service should be in a proper condition. My opinion is that if the Militia were properly dealt with we should have, not only in name, but in reality, third and fourth battalions ready to fill up vacancies in the Regular Army on emergencies. If you can make your Volunteers more effective of course you can do the same with your Militia, and render them fit for any kind of service. I was also glad to learn that our light works and fortifications are in a forward state, and that 100,000 Volunteers have gone into camp. I regret the defeat of the Government on the question of the Volunteers. I voted with my right hon. Friend, because I believe he has done great and important services to that valuable branch of the Service. I am behind no one in desiring to see the Volunteers efficient and effective and able to take the field at short notice, and I desire to see them assisted in the matter of equipment; but I do not think it is right to throw on the Government the responsibility of providing all that is wanted, when there are so many people in the country who do not assist the Volunteer movement except by offering money subscriptions. I think I should have been wrong if I had not supported the Government, especially as they told us they did not mean to press home unduly the rule laid down in the Circular they have issued, but would deal in a kindly manner with those corps who have done their best under most difficult circumstances. I am more than delighted with what the Secretary of State has done for the Reserves, and I am glad that employers of labour are doing all they can to enable their men who are in the Reserves to carry out what is required of them. I heard from Colonel Ravenhill the same statement that the right hon. Gentleman has made with regard to the number of horses which will be available in future in case of emergency, and I understand that the number is 14,000, and that is a great advance of what we have ever had before in that way. The question of guns and ammunition is equally important, and nothing can be so bad as to have in the field guns of different calibre and different sorts of ammunition for them. I am delighted that the right hon. Gentleman has, in the matter of the depletion of stores, taken the bull by the horns, and that in future stores will not be depleted in times of economy, but that the country will have a full and effective supply, that the stores will be examined, and a correct Report made regarding them year by year. Until we get that statement we shall never know how we stand. I am pleased to hear that the men in the Reserve are to have clothing always ready for them, so that they may join their regiments at a moment's notice. I have not time to go into the Report of the General of Recruiting; but there are many things in that Report which we ought to discuss, and which I hope we shall have an opportunity of discussing. I am glad to see that desertions and fraudulent enlistments have fallen off, but we require 5,000 men this year more than last, and with the improvement in trade the difficulty of obtaining recruits will increase more and more. Looking to the general

position of affairs I think I may congratulate the right hon. Gentleman on the statement he has made. He has always been very explicit with the House, and the country will read his statement with pleasure and satisfaction.

*(10.20.) MR. CAMPBELL-BANNERMAN: I entirely concur in the warm congratulations offered to the right hon. Gentleman, not only on the matter, but on the manner of the statement he has submitted. There was only one deficiency that I observed in connection with the statement, and that was the deficiency of an audience. While the right hon. Gentleman was delivering his most important statement—and a more important or more interesting statement I never heard from a Minister of War—where were the military Members? They form a large portion of the House of Commons. A year or two ago I understand they even constituted themselves into an amateur Committee, in order to control the affairs of this House. Where were they when the right hon. Gentleman was delivering his statement a while ago? Further, I say, where are they now, now that the time for dining has elapsed? Where, I may further ask, are the economists, for this is an occasion on which they might have had something to say? These Estimates are in excess of the Estimates of last year by a nominal net increase of £389,000. The Estimates both for the Army and Navy have been increasing year by year, and we must remember the special financial arrangement with regard to Imperial defences, and, last year, the special arrangement in regard to the Navy and the large sum which is now proposed—£4,100,000—outside the ordinary Estimates, to be expended upon the construction of barracks. And still the normal Estimates are increasing. The increase, so far as I can make out, is really greater than £389,000, because one of the decreases taken credit for arises from the removal of charges from these Estimates, which charges are otherwise provided for. This decrease, although technically justifiable, is a thing which we should not leave out of our view. I should like to know what is meant by the increase in contributions from the colonies? How does it arise? It appears to arise principally in connection with the Mauritius, Hong Kong, and the Straits Settlements, and yet the expenditure on the forces in those places has not increased, but seems, in some cases, to have materially diminished. Is this not, as it were, a misleading item, seeing that this expenditure is covered by or belongs to the expenditure that is going on for the defence of coaling stations? I trust the right hon. Gentleman will explain the matter. I have said that the increase is very serious—it does not fall far short of £500,000. Well, I am not going to lead an assault upon that increase, because I well know how claims from all the different services press upon the Minister for War, and I know how many things have all at once come to a state of maturity, with which he has been obliged to deal. But, at the same time, the House of Commons ought not to pass the Estimates without marking its sense of the increase and expressing the hope that in the near future a more permanent equilibrium of expenditure may be found. The statement of the right hon. Gentleman was marred by one little incident. He expressed his regret and even his disappointment, and he said he was much hurt by the Division which took place earlier in the evening. I am disposed to sympathise with the right hon. Gentleman, because I know how much he has done for the Volunteers in the past in the position he now occupies, but in a moment, must I say of petulance? the right hon. Gentleman said the result of the Division was due to a Party manœuvre. I do not think the right hon. Gentleman will seriously repeat that suggestion.

*MR. E. STANHOPE: I made no charge against the right hon. Gentleman, and he was not present.

*MR. CAMPBELL-BANNERMAN: I am not concerned to defend myself, but to justify my friends. The right hon. Gentleman did allude to me and to my absence. He remarked that I had not taken part in the debate. Well, I can explain my absence by saying that I was so unfortunate as not to agree with either side in the quarrel. I dislike these assaults by Members *en masse* upon the public funds, but I agree very much with what has been said. If I were to grudge money at all, it would rather be to the Yeomanry, and possibly in some respects to the Militia, than to the Volunteers.

and I am not at all enamoured of the method of meeting the difficulty by public subscription, firstly because it is not a worthy method, and secondly because it works unevenly in different places. In places like London, Manchester, and Liverpool, when there is an ebullition of patriotic generosity, you may find people willing to give what is required, but in remoter districts that cannot be expected, and I am afraid, therefore, that we must look to a larger devotion of public money to the purpose. But as to its being a Party manœuvre, the right hon. Gentleman must remember that it was principally his own friends who made the attack upon him, and that one of his own friends was a Teller in the Division. I can certainly assert that there was no concert or agreement so far as any of the Opposition were concerned. The right hon. Gentleman has explained what is being done in the way of organising the forces at home. If the real object is to organise and decentralise the forces for the purpose of home defence, all my misgivings with regard to that policy and scheme cease. The hon. Member for Donegal (Mr. A. O'Connor) spoke about testing the system. I agree with the right hon. Gentleman that not only would the test be attended with vast expense, but it would be almost impossible in this country. The Governments of France and Germany have a power over the civil population which the Government of this country does not possess. Even the Autumn Manœuvres, to which in former years we were accustomed in England, and which are carried on upon such an extensive scale on the Continent, have been found almost impossible here for this very reason. The railways and all the means of conveyance in those countries are placed absolutely at the disposal of the Government, and the troops are billeted on the inhabitants. In fact, the authorities deal with the country as they like. But when we have very small and modest autumn manœuvres on Salisbury Plain, the first thing that has to be done is to pass an Act of Parliament constituting a tribunal which is to say what compensation should be given to a farmer if a turnip is stolen from his field, or if one of his fences is damaged. That is the practical difference between the two countries, and the consequence is that anything like a mobilisation of the forces in time of peace becomes practically impossible. One of the most satisfactory parts of the right hon. Gentleman's speech was that from which it may be gathered that at last the type and design of guns have in the main been settled, and also that the resources of the country in respect of their manufacture have been so developed that rapid delivery to the full extent of our wants is now attainable. The right hon. Gentleman stated that only one ship was now waiting for its guns, that the armaments for the coaling stations were nearly ready, and that all the guns ordered for Imperial defence as authorised under the Act of 1888 will be shortly provided. That is a most satisfactory condition of things. The right hon. Gentleman referred to the accidents which sometimes happen to guns, and to the way in which these accidents are published and exaggerated, and he pointed out that this led to delay in manufacture, because of the severity of the tests which, in their own defence, the military authorities impose. I wish to add another result of the great publicity given to these accidents. Sometimes trivial accidents happen to guns, which are immediately published in all the newspapers, and the effect exaggerated by interested persons. One of our great objects in this country should be to increase our sources of supply, and to encourage the makers of these large guns, so as to have them in as many parts of the country as possible. What is the effect of these exaggerated stories? They pass from our newspapers into those of foreign countries, and the consequence is that foreign orders cease to come to our manufacturers and go to other countries where just as many mistakes are made and as many accidents happen. This has actually been the result of the publication of these exaggerated stories. It is to foreign orders that private gun makers look to help in maintaining the expensive establishments required for the manufacture of large guns, yet these orders are, in consequence of the exaggerated reports, transferred to foreign makers, who are guilty of just as many mistakes and with whose guns similar accidents happen, although no one says anything about it. Those who know anything about these matters are aware that precisely the same accidents happen

in France and Germany. I think it would be better if a little reticence were exercised by the newspapers and by members of the community at large, not of course to cover up anything which ought to be disclosed, but so as to avoid discrediting our own resources, and thus not only injuring our trade but depriving the Government of the advantage of having those establishments for executing its orders. In a discussion such as this it is impossible to go into details; but I am glad to know that the right hon. Gentleman has made such excellent progress both in the direction of organisation and in the provision of warlike stores and large and small guns. He has had an unusual amount of labour to perform and an unusually large number of questions to settle; but I think he is to be congratulated as also is the House upon his apparent success.

*(10.38.) COLONEL BLUNDELL: I would venture to urge that the Secretary for War should not only give the actual expense of the Army, but the cost relatively to the numbers of the population and the wealth that has to be protected. That would show that while the normal expenditure on the Army remains practically stationary, the population of the country is increasing at the rate of a thousand daily, and its wealth is enormously growing. The hon. Member for Kirkcaldy thinks that we might reduce the Regular Army, and at the same time increase the efficiency of the Auxiliary Forces. But while we cannot overrate the value of the Auxiliary Forces as an adjunct to the Regular Army, we cannot too much underrate them as a substitute for that Army. The hon. Member also suggested that the territorial system has not worked satisfactorily; but I can say that it has been carried out faithfully and successfully, and it is found that year by year more men are drawn by regiments from that part of the country to which the regiment belongs. The Secretary for War has told us that more places for the concentration of troops are required in this country. I agree with him, because the troops cannot be properly trained to the use of the weapons with which they have to fight unless they have extensive training grounds, which, be it remembered, would be of great value not only to the Regular Forces but also to the Militia and Volunteers. Ranges also which are much required could be established at these places of concentration. With regard to ammunition, we can never attain finality in a country which is progressive; but I would suggest that the description of the ammunition should be painted legibly on the exterior, so that every one who takes it up should know what it is. I have no doubt that if the improvement in trade continues there will be great difficulty in recruiting. I think it would be very desirable to enlist men for three years, and some six months after enlistment induce as many as possible to enlarge the time for eight or ten years, so that they may be able to complete the full term of service in India. We should thus be in a better position to keep up our battalions on foreign service, and it might be well to consider whether men who thus extended their period of service were not worth a penny per day more pay than is given to those who join the ranks for the shorter period. I will not any longer occupy the time of the House; but, in conclusion, I wish simply to add my hearty congratulations to those already tendered to the Secretary for War on his thoroughly satisfactory statement on the subject of the mobilisation scheme, remarking only that the proportion of men frittered away in the seaports and other places is too large.

(10.45.) MR. MAC NEILL: I hope to occupy the attention of the House for but a very few minutes; but I am sorry the Secretary for War is not in his place, as I wish to draw the attention of the right hon. Gentleman to several important questions. In the first place, it was stated a few months ago in the papers, and it has not since been contradicted, that there are 22 known survivors of the Balaclava Charge in Union workhouses. One of these was at Horncastle, in Lincolnshire, and I am informed that he had walked nine miles to the residence of the Secretary for War in the hope of seeing him, but was told that there would be no good in his doing so. These incidents certainly do not exhibit the lot of a soldier in a rosy light. The right hon. Gentleman stated that there was nothing to complain of in the matter of the character of the rations issued to common soldiers. But is it not

a fact that soldiers employed on eviction duty in Ireland get better rations than those issued in the ordinary course? I believe it is a fact that the soldiers who were employed at the evictions on the Olphert Estate were billeted in Mr. Olphert's house; but even they have caused it to be known that they hated the employment and regarded it as a degradation to their cloth. Now I come to a question in which I am particularly concerned, that of the employment of Army chaplains, and in this matter I think we have an illustration of the inconvenience of the new system which has been adopted by the Government of jumbling a lot of Votes together, with a view to avoiding discussion on separate items. I am glad now to see that the Secretary for War has returned to his seat, and I hope he will give me a satisfactory answer on this point, or I shall feel it my duty to divide the House by moving the reduction of the Vote by £57,676, the sum allotted for Army Chaplains. Now, I hold that a substantial saving might be effected by merely employing Army Chaplains at foreign stations, and giving the appointments at home to beneficed clergymen of the district in which the troops are stationed, for I believe such clergymen would willingly accept a comparatively small salary. It is only within the last 30 or 40 years that distinct ecclesiastical establishments have been erected for the Army. I see that many of the Army Chaplains now receive about £800 a year, and that there are 88 of them. I believe that in many cases their duties could be performed by rectors of parishes, who would gladly accept £200 or £300 a year, and they would greatly benefit by this addition to their incomes. I believe there are no fewer than eight Army Chaplains stationed in Ireland—seven of them being at Dublin and one at the Curragh. Now that the Church has been disestablished in Ireland a sum of £300 or £400 a year would prove a welcome and substantial addition in the case of rectors where troops are stationed, and I believe that the work would be equally well done, while it would prove more acceptable to the men, who look on the Army Chaplains almost as officers.

*MR. E. STANHOPE: Will the hon. Member allow me to say I do not remember his having brought this matter before me prior to this?

MR. MAC NEILL: Then I should like to refresh the memory of the right hon. Gentleman. If he will refer to *Hansard*, June 27, 1889, he will find that Mr. Mac Neill, the Member for South Donegal, put this Question—

"I beg to ask the Secretary of State for War whether it is the fact that the Catholic parochial clergy invariably minister to Catholic troops stationed in their several parishes and districts in Ireland; why does not the same rule prevail that Irish Protestant clergy should similarly minister to troops of the Protestant faith in their various districts and parishes, and why are English Army Commissioned Protestant Chaplains brought over at great expense to discharge duties which would be quite as efficiently discharged by the local clergy at a small stipend, and which duties the local clergy are ready and willing to discharge; would he have any objection to direct a Return of the number of the various stations in Ireland at which Commissioned Army Protestant Chaplains and Clergymen of the Irish Protestant Church minister to troops, stating in each case the cost of providing for such ministrations; whether it is a fact that six out of the nine barracks in Dublin are ministered to by the local Protestant Clergy at a less expense than the remaining three, which are ministered to by Army Commissioned Chaplains; and will he take any steps to equalise the condition of the Catholic and Protestant Clergy and to save the pubic money?"

The right hon. Gentleman the Secretary for War replied to this, and attached to his reply is a little asterisk showing that he carefully examined the answer before it was printed in *Hansard*. He said—

"It is the fact that the local clergy minister to the Roman Catholic troops in Ireland at the express wish of the Episcopal Authorities there. The same rule applies as regards Protestant denominations when the number of troops are small; but where the number is large it is considered more advantageous to have a Commissioned Chaplain, who can give his whole time to the men and their families. There are three stations at which Commissioned Chaplains are serving—Dublin, Cork, and the Curragh. All the Dublin barracks, except Pigeonhouse Fort, are attended by Commissioned Chaplains. Having regard to all the circumstances, the existing arrangements are considered the most efficient and economical."

I may say that in a casual conversation with the Archbishop of Dublin I asked if he approved of what I had been doing in this matter. The prelate, as the House may know, is a temporal Peer, and he replied to me that if he had the oppor-

tunity he would willingly raise a question in the House of Lords as to the desirability of continuing the appointments of Army Chaplains at Dublin and the Curragh. I am surprised that the right hon. Gentleman should not be able to give me an answer. I can only emphasise my protest against their being brought over at enormous expense, and that the money should be taken from poor gentlemen to whom every single halfpenny is of importance. I must emphasise my view by dividing the House.

*Mr. E. STANHOPE: If those are the facts I should like to see them.

Mr. MAC NEILL: The facts I have stated are the result of a conversation between Lord Plunket and myself. The right hon. Gentleman will scarcely doubt my credibility in conveying the conversation accurately. The right hon. Gentleman has had eight months of incubation, and surely the right hon. Gentleman has found some information about this matter. I never, unless it is on a matter of extreme importance, interfere in another Gentleman's constituency. I do not think it right or proper to do so. But stern necessity compels me to interfere in the constituency of the right hon. Gentleman who sits on that Bench, the Member for Dublin University. The constituency of that University comprises two-thirds of the Dublin clergy. The right hon. Gentleman was selected by the Castle for nomination by the Dublin clergy. A clergyman wrote to him this letter—

"Sir,—Having reference to your Address to the Electors of the University of Dublin in this day's paper, I have been desirous of drawing your attention to an important matter affecting the interests of the clergy of the Church of Ireland, who constitute, I believe, the great majority of the Electors. You are, perhaps, aware that in Ireland wherever Her Majesty's troops are located the invariable rule is that the Roman Catholic parochial clergy are employed as chaplains to the troops; whereas in many places the presence, the privileges, and the rights of the clergy of the Church of Ireland are entirely ignored. Your predecessor in the representation of the University, though applied to, failed to obtain any justice as 'equality' in this matter, and at the last Election I thought it my duty to propose another Candidate who, if successful, would seek earnestly to remedy this grievance and remove this anomaly. May I ask your kindness to inform me whether, if elected, you would be glad to do what is in your power to procure an alteration of this state of things, as I should feel very reluctant in the present juncture to cause division in the Conservative ranks, or to put the University to the trouble of, it might be, a protracted election.

"I remain, dear Sir,

"Yours faithfully,

"Thos. Mills, M.A., Vicar."

"St. Jude's, Dublin."

To this was sent the following reply:—

"Dear Sir,—In reply to your letter of the 1st inst., I beg to say, that if elected, I should give my immediate attention to the question referred to in your letter. I cannot hope to have much influence in regard to such a matter, but whatever I may possess, I shall most certainly exert.

"Yours faithfully,

"D. W. Madden."

The right hon. Gentleman has been too busy answering questions on behalf of the Chief Secretary, and, in place of the late Colonel King-Harman, to attend to this matter. If necessary, I can promise to get him the support of Lord Plunket. I do not know the Primate of Ireland, Dr. Knox, but I know he will support the truth, for he has written eloquently of the disregard of the constituents by the Gentleman sent to represent the University of Dublin. I represent the most Protestant constituency in the whole Empire, but I believe in trying to do justice to my Protestant brethren, I shall have support. Though I believe these gentlemen would compass heaven and earth to defeat my political views, that does not prevent me trying to get them justice. In spite of their political views, I have a great regard for the members of the Church, of which I was myself a member, and of which my father was one of the ministers.

Mr. PENROSE FITZGERALD (Cambridge): The hon. Gentleman has stated that there have been numerous protests from the Church of Ireland. Will he kindly give us the dates of those protests, and whence they came?

Mr. MAC NEILL: The hon. Gentleman has rather misunderstood me. But I can state this clearly, that it was on the paper of the Dublin Protestant Synod, and was discussed last November. There was a notice calling attention to the matter by the Rev. Thomas Mills. Many clergymen have spoken about it. I can certainly pledge myself that I have the great authority of my Reverend Friend

Lord Plunket to show this has been done.

MR. FITZGERALD: But no protests from the Church.

THE CHAIRMAN: Order, order.

*(11.7.) GENERAL FITZ WYGRAM (Fareham, Hants): Sir, I desire to call attention to the state of the cavalry. It appears to be a common idea that a cavalry regiment is inefficient if in peace service it has more men than horses, but the fact is it is far easier, and takes far less time to train a horse than to train the trooper who rides it. It appears to be a common idea that the well-trained horse is the essential item of organisation. Cavalry officers take an entirely different view of that matter, and regard trained dragoons as the essential item in cavalry. Horses trained and broken and used to saddle and bridle can be obtained at the outbreak of war, at an increased cost, or by means of registration. Personally, I prefer the scheme of obtaining horses by registration, because we know that we can get the right quality of horses when we want them. Any number of horses can, if required, be got ready in time for a campaign. It takes a very short time to teach horses, already used to bit and bridle, to stand fire and carry military accoutrements. As a general rule a week or a fortnight is sufficient for them. As regards trained dragoons, the case is exactly the opposite. Neither for love nor money can you get 1,000 or 2,000 dragoons, and I do not think you could train dragoons in less than nine months, besides which it must take a considerable time to enlist the men. The best cavalry organisation in my view is to have the largest number of men that can be kept efficient as dragoons on a given number of horses; and conversely the smallest number of horses necessary to keep those men in efficiency. Now, I think it is quite possible to maintain a larger number of men in a state of efficiency than we do. To each of our six cavalry regiments on the higher establishment I should add 100 men—making 700 men; and 75 men added to each of the 12 regiments, on the lower establishment, which would make a total of 1,440 additional dragoons. That would be a large force of trained men, most invaluable at the outbreak of war, and could be obtained, comparatively speaking, with a very small expenditure, because there would be no increase of expense as regards officers and horses. I may be told that the cavalry could be augmented at the outbreak of war by means of a reserve. I deny that *in toto*. When our men have been discharged for three or four years, and have not been on a horse in that time, they get stiff and totally unfit to be sent out at once on a campaign. The Germans realise this thoroughly; they have a reserve, but they do not employ them in the first line. They send their reserve to be re-trained at cavalry depots against the possible carrying on of a war into another campaign. The Secretary for War may say:—"I maintain a certain number of men, and if you tell me I can do with fewer horses, I shall be very glad to do so." I do not wish anything I have said to imply that the least in the world. I do not think it is possible to maintain efficiency in field drill with a less establishment of horses than we have now. It may be in the minds of hon. Gentlemen that I have understated the amount of time necessary for the training of horses for military service. Be it remembered that I am speaking of horses used to bridle and saddle, and in hard work. I am not speaking of young horses. When the 15th Hussars were coming home from India, and had got as far as Bombay, they received a message ordering them to go to South Africa. When they were landed at Natal, they were without horses, but the Natal Government provided horses for them; horses that had never been mounted by dragoons, or worn military accoutrements in their lives. It was, however, a matter of urgency, and the hussars mounted on the night of the day on which they landed and rode those horses, which kicked and bucked at first. But they had trained dragoons on their backs—and by the time they reached the front, the horses were well in hand, and there was no regiment in that service which proved more effective than the hussars who had been mounted in that way upon horses which, as far as military training was concerned, were utterly without it. With regard to another subject, the question of musketry instruction, I have a strong feeling that the education

given in that direction is utterly and totally on the wrong edge. It is notorious that the improved rifle of recent years, notwithstanding its great range and extreme accuracy, has failed to produce the results which were anticipated from it in war. I believe that our regimental officers do their duty well, and that the men are as well taught as is possible, on the authorised system, but to my mind the whole system is totally wrong. We teach the men to shoot under conditions which never occur in actual war. We teach them to be steady, not to move, to gauge the wind, never to be hurried, and to take calm and deliberate aim, but these are not the conditions of active service. When men have been trained to shoot under such conditions, and then are called upon to fire in the hurry and excitement of actual battle, it is impossible for them to do well that which they have never been taught, and of which they have had no practice. I have nothing whatever to say against the ordinary training of our recruits in regard to musketry; it it as good, perhaps, as it can be under the system adopted. Of course the recruits must be taught to be steady, to take good aim, and learn the theory of musketry. But, in my opinion, when a trained soldier has been dismissed from his musketry drill, he ought never to fire a shot except at unknown distances, and, before firing, he should be required to simulate the bustle of war, by running a hundred yards or so and then made to fire four or five shots in rapid succession. There is, of course, a tendercy in all special departments to the *haute école*. For my part, I should like to see the great bulk of our soldiers made to fire in a rough and ready way; they ought to run about and carry on their musketry practice as nearly as possible under the conditions that would obtain in actual war. I will give an illustration of what I am endeavouring to impress upon the House. There is a class of men known as circus riders, who certainly are most accomplished horsemen in the ring and on the tan, where they are called upon to perform particular feats; but if you were to take them and their horses into the hunting field you would probably find them dropped into the first ditch or thrown at the first hedge,

General Fitz Wygram

because that is a kind of riding to which they have not been accustomed, and it is not improbable that a farmer's boy on a rough country pony would be a long way ahead of them at the end of the run. I am anxious on this musketry question, because I think the instruction now given is a failure, mainly because that instruction is given under circumstances which are totally unlike what would occur under the conditions of war. There is another subject to which I may be allowed to call attention. I think that some limitation ought to be adopted in regard to the period of command enjoyed by a commanding officer in the auxiliary forces. It is quite possible for a young officer retired from the Army to get the command of an auxiliary corps at the age of 30, and he might retain that command for 20 or 30 years. I think there is nothing more heart-breaking for the other officers than to know that those in command have no limit of time and that they may never achieve the object of all military ambition —the command of their own regiment. Again, I think it very undesirable to have the same officer always in command. He may undoubtedly make his regiment a perfect machine, faultless under inspection; but if that regiment were taken into the field, and, as is not at all unlikely, the commanding officer might be shot, or failed in health, or was appointed to a brigade, the machine would cease to work, because its main spring was lost. Therefore, I ask the Government to fix a maximum term of command. It often happens that a man is perfectly fit to command when he obtains it, but as he grows older his habits and customs, and his whole manner, undergoes such a change that he may become absolutely unfitted for the post. I do not suggest that the same limit which obtains in the line, namely, four years, should be applied to auxiliary commands; that is done to give the junior officers a fair chance. I do, however, ask that some limit should be fixed, and I would suggest that eight years would be a fair maximum. That, I feel confident, would give great satisfaction both to the officers and men in the auxiliary forces, and would materially tend to promote the efficiency of those arms of our Service.

MR. R. K. CAUSTON (Southwark, West): I desire to call attention to the grievances of a very deserving class of officers, the quartermasters. They consider they have a genuine grievance in relation to their retired pay and retired rank. Last year I asked the Secretary for War to appoint a Committee to inquire into this question, but that request was refused; and with regard to the Committee known as Lord Randolph Churchill's Committee, it decided not to take up this grievance, which was only looked upon as a matter of detail. I will point out what has happened during the last 16 months with regard to retired pay. The quartermasters complain that whereas they and other officers of the same rank are treated in one way, the officers of the Coast Brigade who, like the quartermasters and ridingmasters, rise from the rank, are treated in a different way, greatly to the prejudice of the quartermasters. A ridingmaster with 10 years' rank service and 29 years' commissioned service was compulsorily retired at the age of 58 on £200 a year, or £102 2s. 6d. less than his pay. A quartermaster with 13 years' rank service and 28 years' commissioned service was compulsorily retired at 58 on £200, or £73 15s. 0d. less than his pay; but, on the other hand, an officer of the Coast Brigade Royal Artillery with 26 years' rank service and 14 years' commissioned service was compulsorily retired at 55 on £292 a year, or the full pay of his rank. It would seem that the quartermasters have very few friends among the regular officers of the Army. It is generally admitted that they are a most efficient body of officers, but when it comes to the discussion of their grievances there is a disposition to think they ought to be satisfied with their position. With regard to another point, namely, retirement with the rank of major, the quartermasters have, I think, a further grievance. Retirement with that rank was a concession granted during the time the right hon. Gentleman the Member for South Edinburgh (Mr. Childers) was at the War Office. It was arranged by him that quartermasters should serve with the honorary rank of captain and retire with the rank of major; but under the new warrant of the Secretary for War that privilege was abolished. The result is, that of the 22 senior quartermasters who have been denied the rank of major, one of them served in commission over 23 years, two over 21 years, one over 19 years, four over 18 years, five over 17 years, and nine over 16 years. After this statement, I think the Committee will agree with me in thinking that these men have a real grievance and that that grievance ought to be remedied. As it is, we have one Secretary for War coming down to this House and stating that these men are to retire with the rank of major; and, notwithstanding this and the fact that these officers have performed faithful and efficient services, another Secretary for War comes here and tells us he intends to take away this privilege. I have always considered that these men were deserving of sympathy; and as long as I have the honour of occupying a seat in this House, and until some remedy for their grievances has been adopted, I shall continue to draw attention to the subject.

*(11.28.) MR. E. STANHOPE: I have to thank the hon. Gentleman who has just sat down for the remarks he has offered to the Committee, and I also have to thank the Committee generally for the approval with which my statement has been received. I was particularly pleased with the remarks of the right hon. Gentleman opposite in reference to the supply of guns. That is a subject which has been fraught with much difficulty, and I am glad to think that that difficulty has been largely overcome. One matter to which the right hon. Gentleman has called attention is very important, as it concerns the defence of our colonies. A small Committee composed of Treasury and War Office Officials has inquired into the justice of the contributions made by our colonies, and some of the colonies which have been already dealt with have been called upon to make increased contributions. We have now not only provided a large amount of armament for certain of our colonies, but have also increased their garrisons. We shall carry out that process throughout all the remaining colonies, and where we think the increase

ought to be made, we call on the colony to bear an increased burthen.

MR. CAMPBELL-BANNERMAN: Will the right hon. Gentleman allow me to point out in regard to the amounts contributed and the amounts included for military purposes that, in the case of Mauritius, its contribution has been raised from £16,000 to £30,000, while the expenditure in Mauritius has been reduced from £51,000 to £47,000.

*MR. E. STANHOPE: The contributions which are now asked have been fixed upon a complete examination of all the circumstances so as to determine the proper proportionate sum that should be paid by each colony. It is difficult to explain all the circumstances briefly, but I shall be glad to show my right hon. Friend the data upon which we have proceeded. Every circumstance has been taken into account. The amount paid before, the financial position of the colony, the assistance rendered by Imperial troops —every circumstance from which to draw a correct deduction has been considered very carefully. And now I will reply to the hon. Member for South Donegal. The hon. Gentleman has recently paid a visit to my constituency, where, I hope, he has enjoyed himself. He brings back with him a story which is not new—of a pensioner who is to be found in the Horncastle Workhouse. It is a story that has also been circulated by the gentleman who is going to stand against me at the next Election. I know as a fact the man is there, and I know also that one of my predecessors in office referred the case to the Chelsea Hospital Commissioners, who examined it and decided against the claim.

MR. MAC NEILL: He served in the Crimean War.

*MR. E. STANHOPE: I have no doubt he did, but good service does not necessarily entitle him to a pension. At all events, it is not for me to decide. The Commissioners of Chelsea Hospital have decided against him. Then the hon. Member referred to the question of Army Chaplains. I told him last year in relation to this subject that I did not see my way to following the course he suggested, but I said I should be glad to hear any further argument or opinion by which his proposal could be supported. He now tells me that he has obtained the sanction and support of Lord Plunket, and what I would say is this: that if he will bring me, or if Lord Plunket will be good enough to furnish me with the reasons and grounds upon which he supports the proposal, I shall be glad to consider them with all the respect due to one who holds the position Lord Plunket does. I fully accept what the hon. Gentleman says, that Lord Plunket agrees with him; but obviously it is impossible for me without knowing the grounds upon which Lord Plunket expresses that opinion, to adopt his views; butif Lord Plunket will be good enough to furnish me with the grounds on which he makes the proposal, I will fully consider the matter before coming to a final decision. The hon. Member for Southwark has referred to the question of quartermasters; but I may say that, so far as I am concerned, I have made no alteration in their position. A Committee not long ago sat and considered the whole question, and when everything that could be urged had been put before them, the Committee came to the conclusion that there was nothing to justify a departure from existing regulations.

MR. CAUSTON: The right hon. gentleman has not referred to the Royal Warrant taking away the retiring rank of major.

*MR. E. STANHOPE: I have issued no such warrant. I think the hon. Gentleman must be referring to the warrant issued at the end of 1886 or early in 1887. One or two points have been raised as to the distribution of items under the Votes; but all I can say

is, that if there has been any change, it has been with the desire of putting information more clearly before the Committee and from a desire to meet the wish of the Public Accounts Committee, that the Army and the Navy Estimates should approach each other more closely in form. Then the hon. Member said there was a good deal of needless movement of troops, and he quoted Lord Wolseley for that opinion. Since that time the question of the movement of the troops has been considered, and Sir Redvers Buller, quarter-master-general, has introduced very considerable changes, which will cause considerable economies that may be expected to increase year by year. I do not know that there are any other questions to which I need refer now, and I hope we may now take the Vote.

MR. MAC NEILL: My contention is, that troops in Ireland have been used as landlords' bailiffs practically. Will the right hon. Gentleman give an assurance that henceforth the officers and soldiers employed in evictions should not be allowed to be billeted on the houses of the landlords at the time the evictions are going on? In the House he was forced to confess, in answer to my questions, that at the time the evictions were going on upon the Olphert estate troops were billeted in Mr. Olphert's house and the officers dined at Mr. Olphert's table.

*MR. E. STANHOPE: The hon. Gentleman has now sprung a new question upon me.

MR. MAC NEILL: No; I have already mentioned it twice.

*MR. E. STANHOPE: I beg the hon. Member's pardon; it escaped my attention. I cannot give him any assurance as to the use of troops, for I cannot say what the exigencies of the time may require; but I hope there will be no necessity for their use. Every day there is less necessity for the services of troops, and I hope we shall very soon arrive at a condition of things when there will be no necessity whatever to employ them in evictions in Ireland. I will now ask the Committee to allow us to take the Vote. I think our position is quite well understood; we are absolutely obliged to have this Vote within a limited time. From the time at our disposal we have had to give up a considerable period for the important discussion which occupied last week and part of this, and we have now arrived at a time when there can be no further delay. I can give the assurance to hon. Members that there will be an early opportunity of discussing the questions they desire to raise, and with that I hope they will be satisfied.

(11.38.) COLONEL NOLAN (Galway, North): This is a rather extraordinary appeal that is made to us after the very brief discussion we have had, and I must congratulate the right hon. Gentleman upon the interesting character of his statements. He expressed some regret at the little incident in reference to the Volunteers, but I am not sure that he is altogether disappointed that the hard hands of the Treasury and the Chancellor of the Exchequer have been forced by a Vote of the House of Commons so that he may give proper attention to the wants of the Volunteers. The hon. and gallant Baronet opposite told us he considered he had done his duty in voting with his Party, and as a general rule I think a man is right when he goes with his Party. But if the hon. Baronet was right, I think that those Conservatives who placed principle before Party, and voted for the rights of the Volunteers, acted more than rightly—they acted nobly. Against this rapid disposal of this important Vote I must protest most strongly. So far as I know, not a Member who has served in the Army has spoken from this side of the House. I know the time at our disposal is limited, but why did not the Government call us together a week earlier and proceed earlier to the discussion of an important Vote like this? There are some

remarks I have to make, and I think they are of some little consequence. The first point I would refer to is with regard to the pensioner who was spoken of as being in the workhouse at Horncastle, or rather an old soldier who ought to be a pensioner. It is very likely, I think, that that is the case, and if there is only one in that constituency I think it is a very fortunate thing, because it is generally not difficult to find several in that unfortunate position in one Workhouse. In fact, the system of pensions is in a disgraceful condition. There is a large expenditure for our officers, and they deserve it—I am not questioning that at all—but there is every effort made to cut down the pensions of private soldiers who have served their country gallantly, perhaps been wounded, or after several years of service have left in failing health; these unfortunate men are certainly very hardly treated. The Financial Secretary may shake his head, but I can assure him that there is nothing more calculated to set class against class as to see these unfortunate old soldiers going about the country with no means of livelihood, and pensions denied them, while, at the same time, officers are in the full enjoyment of moderate pensions. I myself have had many letters on behalf of unfortunate private soldiers, who complain that they can get little satisfaction from the Chelsea Hospital Commissioners. I think we ought to take more into our own hands in this matter, and I have good official authority for saying that. The noble Lord the Member for Rossendale actually introduced a Bill to give the Government power to consider some of these hard cases and to override the decisions of the Chelsea Hospital Commissioners. I perfectly well remember that this was four years ago, at the time that the noble Lord was Secretary for War, and if he did not actually introduce it, at least he supported it; but it never passed. I can understand that the Secretary for War has had some difficulty with his finances this year. The new rifle adds some £240,000 to his expenditure, and I suppose that a much larger sum will subsequently be spent—two or three millions, perhaps—and that being so, I think he ought really to give the House of Commons some opportunity of seeing the rifle in use. A great many Members of the House can form a much better judgment from their own observation than they possibly can do from Reports; and I do not think we ought to be called upon to spend what may ultimately be two or three millions upon this rifle without having such an opportunity as this. Some members have referred to the desirability of mobilisation, and there have been complaints that there are not more of such occasions, such as those of Cannock Chase and Salisbury Plain. I quite agree that mobilisation is desirable, but I would recommend the Secretary for War not on this occasion to call out the Reserve men, who thus will lose their civil employment. It is a fatal policy, I think, to call them out unless it is absolutely necessary. Further, I may remark that on these occasions there is always great waste of expenditure in the purchase of horses. Too many horses are bought for these manœuvres, and much loss arises which, I am sure, could be avoided. The hon. and gallant Member opposite has spoken of shooting in the Army. The real fact is, the conditions of practice are such that it is almost impossible that a man can be proficient in shooting with only 1·32 rounds per man. There is one other point I will mention while it is in my mind, and that is in reference to the 12-pounder guns. New carriages are to be provided. Is this because the guns destroy the carriages in the recoil? Of

course, if the charge of the 12-pounders were reduced, the recoil would be lessened, but then the value of these arms would be very much diminished. Perhaps the right hon. Gentleman can give us some explanation on this point. And now I should like to refer to those remarks of Lord Wolseley—which I fully endorse—to which I have referred before in this House. I mean the proposition to raise the pay of the soldier 6d. a day; it is of the greatest importance. The objection is made that it entails a very large expenditure. It really amounts to only £9 a man, and, taking the rank and file at some 75,000, the total would be something under £700,000. You need not raise the pay of every man. The pay of cavalry and artillery would be raised in proportion, and in any case the expenditure would certainly be under a million. There are very good arguments in favour of this, and you would find that there would be considerable saving in your Prisons Vote; for if a man misbehaved himself, you could turn him out of the Army at once, unless, of course, it were a very grave offence; and you would have much more success in your recruiting departments, because you would enter the labour market with a much better offer than you now can make. Much saving can also be effected under the head of paymasters. But, of course, the great advantage would be that you would get a large number of mature soldiers. At present you get boys of 17 or 18 years of age; they turn out to be good soldiers, perhaps, in two or three years, when they are ready for the Reserve. But raise the pay sixpence, and I feel sure you will get men of the age of 20, which all Continental nations agree is the proper age for a recruit. I hope that on the next occasion when the Estimates are down we shall have more time for reasonable discussion of this and other points.

(11.50.) DR. TANNER (Cork Co., Mid): May I ask the right hon. Gentleman whether he will not pay some attention to the point that has been raised in connection with the payment of Protestant Chaplains in Ireland? I have no intention of opposing the Vote now, but I desire to mention this because it is a matter of considerable interest to many friends of mine. Will he give us some assurance that he will pay attention to this point? It will satisfy a great many people, and there is the possibility of its saving something like £6,000 a year.

*MR. E. STANHOPE: I am glad to give the assurance that I will carefully consider the point; and if the hon. Gentleman will furnish me with any further information than that which the hon. Member for South Donegal has undertaken to give, I shall be exceedingly glad to look into it.

Vote ageeed to.

2. £5,643,300, Pay, &c. of the Army (General Staff, Regiments, Reserve, and Departments).

MOTIONS.

ARMY (ORDNANCE FACTORIES), SUPPLEMENTARY ESTIMATE, 1889-90.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £15,000, be granted to Her Majesty, to defray the Charge for Additional Expenditure for the Service of the Ordnance Factories, which will come in course of payment during the year ending on the 31st day of March, 1890."

COLONEL NOLAN: I really must object to this. The Government have already had a great deal of money, and I do not think it is reasonable that we should go any further to-night.

*MR. E. STANHOPE: It is only a Supplementary Vote, and it must be taken within the financial year.

DR. TANNER: A very large sum of money has already been voted, and with the very large proportion of time the First Lord has taken for the use of the Government, I do not think it is reasonable that we should be asked to vote any more to-night.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): It is simply this, the Vote must be taken before the end of the financial year, and if it is taken to-night I hope that it will not be necessary to trench any further on the time of private Members.

DR. TANNER: But will the right hon. Gentleman give us the assurance that there shall be no further trenching upon the time of Members if the Vote is taken?

*MR. W. H. SMITH: I will not make any specific promise; but I can only say that the necessity is less likely to arise if the Vote is taken to-night.

COLONEL NOLAN: I must protest against Votes being taken under pressure and such threats as this. It is not a Vote we can dispose of without discussion.

It being midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

THE SCOTCH EDUCATION CODE—FEE-PAYING SCHOOLS.

(12.1.) MR. CALDWELL (Glasgow, St. Rollox): I beg to move that

"An humble Address be presented to Her Majesty praying her to withhold her sanction from the Code (1890) of the Scotch Education Department unless and until the same be amended as follows:—Paragraph 133, leave out all after line 6 to end of paragraph 134, and insert 'Scholars who have not yet passed the Fifth Standard.'"

It is much to be regretted that we are compelled to take after midnight the discussion of a question involving an important principle, and which may be followed by serious political consequences. This, however, only affords another illustration, if indeed such were needed, to prove the utter impossibility of domestic legislation being properly dealt with in this House. The effect of the Amendment to the Code which I move, is that the Probate Duty grant will only be given to those schools and School Boards which charge no fees in the compulsory standards. It has been found that the Probate Duty grant has been sufficient to free education in all the 3,126 State-aided schools in Scotland, excepting in only 85 schools. As regards 25 of these, school fees have been abolished in all cases up to Standard IV., and are chargeable only to a proportion of schools in Standards IV. and V. Fees are chargeable for all standards in only 44 schools, whilst the remaining 16 do not claim any share of the grant. It will thus be seen that only 44 out of the 3,126 State-aided schools in Scotland have been sanctioned as free-paying schools. The Probate Duty grant has therefore been found sufficient to meet the just contribution of parents towards the cost of education throughout Scotland generally. If in some cases the amount has not been found sufficient it is simply because some School Boards have been charging fees in excess of what School Boards in Scotland generally have been charging, and have considered to be the just contribution of parents towards the cost of education. Edinburgh has been able to free education in all the standards, whilst it seems that there is a deficiency in Glasgow to meet the fees payable in the compulsory standards. This arises from the fact that the school fees in Edinburgh are only 10s. per child in average attendance, as against 16s. 8d. charged by the Glasgow School Board. The unhappy position the Glasgow School Board finds itself in as compared with Edinburgh is simply the result of the over-exactions made by them from the Glasgow parents in the past. I propose to point out to the Glasgow School Board a method of meeting their deficiency without either imposing a burden upon the rates or charging fees against the parents. Teachers' salaries in Edinburgh amount to £1 7s. per child in average

attendance, whilst in Glasgow the amount is £1 15s. per child, representing a difference of £19,000 per annum on that one item alone. It may be said that the Glasgow School Board cultivate the higher standards more than all Scotland or Edinburgh. Be it so; but then the total sum allowed by the Glasgow School Board for about 5,500 children on the roll above the compulsory standards, and all this higher education, does not exceed £5,000. What I would point out is, if the Glasgow School Board are going to provide high-class education, they must charge the cost to such higher education and not to the compulsory standards. As, therefore, the Probate Duty grant has been found sufficient to free education on the compulsory standards in Edinburgh, and in all Scotland with few exceptions, it is, and ought to be, sufficient in the case of Glasgow, so far as the Glasgow parent or Parliament is concerned. The financial difficulty in the case of Glasgow began with an alleged deficiency of £12,000. The result of the discussions that have taken place have been to narrow the deficiency down to £5,000, the school fees in the compulsory standards in the 10 fee-paying schools in Glasgow being reduced to an amount which will bring in £5,000. It is over this sum that the battle between the parents and the School Board in Glasgow is to rage, and for which children are being expelled from certain schools unless they pay school fees. This £5,000, even although the whole sum is to fall upon the ratepayers, represents only an additional tax of ½d. per £1. Now, the Government have themselves taken 3d. per £1 out of the pockets of the ratepayers of Scotland for free education, and yet here they stand, sword in hand, in Glasgow over this ½d. Surely if 3½d. per £1 is required to free education to all the children in the compulsory standards, there is neither reason nor justice why the whole community should be taxed 3d. to provide free education to one section of the community, whilst it is to be denied to others. If the difficulty is merely a pecuniary one, the extra ½d. can be found where the 3d. is found. But, as I have already pointed out, no increase of the rates will be required in the case of Glasgow, if the cost of education is fairly apportioned between compulsory and higher. It is a mistake to suppose that I, and those who think with me, wish to burden the already overburdened ratepayer in Glasgow. We wish for free education in England as well as in Scotland. The English ratepayer has got his money. If free education be given to England, then it must come out of the Imperial purse, and be accompanied by an equal grant to Scotland. Free education in England means a restoration to the Scotch ratepayer of 3d. per £1 rental. Meanwhile, it is most objectionable to introduce distinctions in local and State-aided schools in the application of the Probate Duty grant. The object of this grant is to abolish, not to reduce, school fees. The Glasgow School Board acts most unfairly in selecting as fee-paying schools 10 of the ordinary Board schools, erected to meet the ordinary educational wants of the districts in which they are situated, and then saying to the parents whose children are attending these schools, "Either pay school fees or we will expel your children." The result has been in some districts, in Dennistoun district for example, that the free schools in the vicinity are overcrowded, whilst 3,000 places are vacant in the 10 fee-paying schools.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her sanction from the Code (1890) of the Scotch Education Department, now lying upon the Table of the House, unless and until the same shall be amended, as follows: Paragraph 133, leave out all after line 6 to end of paragraph 134, and insert "Scholars who have not yet passed the fifth standard:"—*Mr. Caldwell.*

(12.15.) MR. JOHN WILSON (Govan): I rise to support the contention put forward by my hon. Friend, and to say that as far as Glasgow is concerned the people are very much opposed

to the system adopted by the Government. That is also the case in the large parish of Govan. Out of 19 schools in the parish of Govan built by the ratepayers six are fee-paying schools. In other words, the School Board of Govan are unable to provide free education in six of the schools because the Probate Grant is not sufficient to clear the expenses. Under these circumstances, I would strongly urge the Government to increase the Probate Grant to Glasgow and Govan, so that all the schools under the School Board may really get what this House last year thought fit to give to the people of Scotland, namely, free education in all the compulsory standards.

*(12.17.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): I very willingly recognise the zeal of the hon. Member for St. Rollox Division (Mr. Caldwell) in the cause of education. I am not always able to agree with him, however, and I find myself in that position this evening. A great deal of what the hon. Member has said as to differences between Glasgow and some other places in Scotland in the matter of schools, is not new to us. It was all considered by us last year. The proposal of the hon. Member is simply that this House should to-night reverse a decision to which it came last year when discussing the Local Government (Scotland) Bill. The case is this, that the money derived from the Probate Duty although sufficient to cover the fee on an average for the Compulsory Standard, was not sufficient to do so in some places, and was more than sufficient in others. Under the School Board of Glasgow there were higher fees than in some other places, simply because the expense was greater. The difference of cost under the Edinburg Board and under the Glasgow Board has been referred to. That can easily be explained. In Glasgow there are several grades of schools, whilst in Edinburgh, under the School Board, there is practically only one grade, for this reason, that Edinburgh is well supplied with endowed schools. As to the wisdom of the action of School Boards, it seems to me that this House is not the arena for the discussion of such a question. The School Boards are responsible to the ratepayers, who are quite able to look after their own interests, and as regards the School Board of Glasgow, I think it is quite able to defend what it has done. In Scotland there are 44 schools in which fees have been retained, and these schools are in 12 different counties. Now, has it been proved that it is necessary to retain the fee-paying system in such a number of schools? Have the people shown that they are willing to keep their children at schools where fees are charged, when they have the opportunity of sending them to free schools? I think there is a satisfactory answer to these questions. I find from a Return which was moved for by the hon. Member, that during the month of February the attendance in the 44 fee-paying schools was 21,000—a sufficient number to justify their retention with fees. These schools are, upon the whole, those in which the greatest attention is paid to the higher branches of education. In Glasgow, which has 10 fee-paying schools, the percentage of scholars in these schools who are in the Sixth Standard and over it is 24½—that is to say, every fourth scholar is in the higher standards. On the other hand, in the 55 other schools of the Glasgow Board, in which the lower standards are free, the percentage in the higher standards is only 6 2-3rds. Of the scholars in the whole of the schools under the Glasgow Board, who are in the Sixth Standard and over that standard, 42½ per cent. of them are found in the 10 fee-paying schools. In Govan, where there are five fee-paying schools, the percen-

tage of children in the higher standards in these schools is no less than 26. It must be remembered that on this question Parliament simply gave permission to the School Board to meet a demand if it should find one. I see that in the 10 Glasgow schools in which fees are retained the attendance last month was 8,045, whilst in February last year, when there were no free schools in their neighbourhood, the attendance was 9,827. I maintain that the difference between these two figures is not more than might have been expected, when we bear in mind that there are now in the neighbourhood schools in which the compulsory standards are quite free. It is further to be noted that in these 10 schools 645 scholars have been enrolled since the 1st of October, at which date the lower standards were made free in the other schools. Of these —I quote from a Report of the words of the Chairman of the School Board—

"539 were entered specifically because the schools were fee-paying schools. There were also 37 scholars who had left for a time, and had returned to the schools because they were fee-paying, and 200 of those who had been absent from their schools had returned and paid their fees."

No doubt there has been some agitation in Glasgow—whether altogether spontaneous I am not prepared to say. The agitation, however, does not seem to be general. I do not hear, for instance, that there is any agitation in Falkirk, where there is a fee paying school. If a School Board anywhere finds that there is a settled dislike to such a school, manifested by the people not sending their children to it, of course it will be discontinued. The Code simply proposes to continue a system which has been in operation for only five months, and it seems a rather strong measure to make a complete change after so short an experience. To accept this Motion would be to throw the educational arrangements of Scotland, especially as regards the higher standards, into complete confusion. As regards secondary or higher education the position in Scotland is somewhat different from that in England. Our Education Act is not for elementary work merely. The word elementary does not occur in its title. There is an express provision that whereas parish schools were always accustomed to give a high standard of education, care shall be taken that that standard shall not be lowered in future. We do not consider it an Elementary Education Act. Even in the Annual Report of the Scotch Education Department Members will find a chapter headed "Secondary Education." I may be told that what we are now doing is creating an invidious distinction, and that all classes, whether they go forward to higher education or whether they do not, have hitherto been accustomed to go to the same school. I admit that as regards country schools. It is not so in large towns, and it is idle to suppose that in the towns you can have the same mixture of stations in life as you have in the schools in the country. At the same time, while I object to the Motion, I must say that I am by no means satisfied with the position of education in Scotland. In some respects, and especially as regards secondary education, we expect a great deal more from the Government. I know that my hon. Friend has objected to the action of educational authorities in connection with the ninepenny limit, and for my part I wish it were abolished—this ninepenny limit. It was imposed on Scotland by a stupid blunder, and ought to be removed. We ought to have assistance from Imperial funds for secondary education whatever the fee is. I am afraid, however, that this Motion would simply make matters worse, and would lower the standard of education throughout. I particularly regret that it should be brought forward in connection with a Code that deserves the gratitude of all educationalists. For this Code introduces a very salutary change by abolishing payment on individual examinations, and substituting the system of distributing the Government grant on the result of class examinations—a change which has long been earnestly desired. I trust the Motion will not be accepted by the House.

(12.40.) SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I am very glad to have followed the hon. Gentleman who has just spoken, because I know the interest he takes in education, and I also know that we can always rely upon his statistics.

And it is from those statistics that he has given that I propose to argue this case. In the first place he seemed to think that this discussion was barred, owing to our having discussed and voted upon it when the clauses of the Local Government Bill of last year were before us. An Amendment was introduced upon that occasion by my hon. Friend the Member for the College Division of Glasgow, whose absence we all deeply regret, and who shares with the hon. Member for North Aberdeen the honours in regard to this question of free education. And on that Amendment the opinion of the House was that the discussion ought to be put off until the Educational Code was introduced. That was the opinion of the hon. Member for North Aberdeen, who was in favour of the Motion of my hon. Friend the Member for the College Division, and that also was the opinion of the hon. Member for Perth, who, I believe, was against it. Practically throughout the debate it was said that when we got the Code before us would be the proper time for the discussion. An hon. Member opposite says "Then what is the difference?" Well, the difference is that we did not then know the consequences and now we do. Parliament wished to have free education in Scotland, and allotted a sum which was hoped would be sufficient, and that sum is sufficient for the purpose. There are 3,126 schools in Scotland, and out of this 3,041 find themselves able, either out of the probate grants or by some increase in the rates, to give free education in all the compulsory standards. In the great city of Edinburgh, with its 70 schools and 30,000 children, elementary education is everywhere absolutely free. If we except Glasgow and Govan—and here I may say, with all due respect to hon. Members, that Govan is part of Glasgow—and if we except the schools there, there are only 26 schools in all broad Scotland charging fees. It is quite evident, therefore, that, if only proper arrangements and proper sacrifices are made, the thing can be done throughout the whole of Scotland. But instead of that, in Glasgow and Govan, the School Board have inflicted, at the inspiration of the Government, a most grievous wrong upon individuals, and cut at the root of the principle of free education. In Glasgow there are 65 schools, and among these, fees are charged in 10, and the children of parents who do not choose to pay these fees, and who claim the gift of free education from Parliament, are bodily turned away and kept out of these schools. I say that it is not right to the tax-payers and to the ratepayers of the country that this should be done. One third of the scholars in these schools have had to go elsewhere, and when it is said that there has been no great dislocation of educational arrangements, let it be remembered that in six of these schools alone, 1,000 children have had to be removed, and that at a time when it is most important that the connection between teacher and taught should be maintained. Let me notice what defence the School Board makes for this action. In the case of a memorial sent by the parents of the children attending the Kent Road School in Glasgow, the Board say—

> "We have made a careful examination of the residences of the parents who signed the memorial, and we find that, in the majority of the cases, Kent Road School is not the nearest."

Well, but what does this mean? It simply means that the parents did care for education, and did care what school they sent their children to. They did not take the nearest, but they took what they thought a good school, and the reason why they are now excluded is because this is one of the best schools in Glasgow. That is why it is chosen for the charging of fees, and I do not think the hon. Gentleman opposite will deny it.

Then, in the case of the John Street School, the School Board are building rooms for the teaching of cookery and for drawing, and there, also, children are to be excluded from free education. But I maintain that the Board have no right to exclude those children whose parents wish to avail themselves of these subjects. It is not only the parents of the children who are expelled that I pity. I pity the parents who, paying the fees for their children's education which Parliament has said should be free, also pay in the rates for the education of the children of their neighbours. Not only are these schools from which these children are excluded the best, but they will become better and better, while the tendency of the other schools will be to become still more inferior. The parents who avail themselves of higher education for their children will influence the School Board, and may indeed become members of the Board themselves, and these fee schools will get the advantage of better teaching and equipment, while the other schools will be starved. Into these latter schools all the waifs and strays will be sent, and the tendency of these schools will be to go from bad to worse. It is a class measure, if ever there was one, and that in the very last department of social life in which it ought to be introduced. What do we look for in free education? To raise the level all over the field of education by applying it to all classes. Up to this time there has been no class distinction in Scotland, but now that the Government have justified and sanctified this idea of class distinction I venture to say that within three years we shall not find a single person who sets up to be "smart" or to belong to or be near the upper classes sending his children to a school where fees are not paid, if he is within a railway journey of a school where fees are paid. Why not leave the schools of Glasgow as they were? There is talk about a deficit of £12,000 a year. We should bear in mind that before the Parochial Boards paid £4,000 a year. That is paid no longer, and the deficit becomes reduced to £8,000, which is surely not too great a burden for such a city as Glasgow. The hon. Gentleman says we ought to leave these matters to the local representatives—that is, the School Board. In this case that goes for nothing at all. The Glasgow School Board was elected before there was any idea of free education. Not only is it an entirely new question, but there was not even a public discussion at the Board before the regulations were brought out by which 10 of the schools were left as fee-paying schools, by which a very serious dislocation of educational interests took place. If I know anything of the feeling of Glasgow, this will be the last Board elected with that feeling, and by passing the Amendment we shall lay down the principle that all School Boards that took a share of the Probrate Grant should see that in every school there is free education.

(12.55.) MR. PARKER SMITH (Lanark, Partick): Having just passed through a contested election at Partick, which is part of the parish of Govan, and in exactly the same position as Glasgow, I may be allowed to say that during that election this question has not in any way been brought before me. No question was asked at any of my meetings, nor was the matter brought to the notice of my opponent, so far as I know. This shows pretty definitely that the agitation is not very widely felt. In this matter some temporary friction was inevitable, and I think the effect of it will soon pass away. The hon. Member who brought the question forward said this is a matter of class legislation. It appears to me that it is an essential part of the legislation by which Scotland has arrived at its present excellent system of education. These schools that are selected as fee-paying schools are the best schools, and they are the best schools because hitherto they have been the most expensive. We are agreed now that secondary education is a great want, and it appears to me that this Amendment will kill the schools which are just those which pretend to give a good secondary education,

and it is perfect madnesss to reduce their system into chaos in the way this Amendment would reduce it.

*(1.0.) SIR LYON PLAYFAIR (Leeds): My right hon. Friend anticipates that when the new School Board is elected the higher schools will be made free. If that should be so we shall all rejoice. I am as much in favour of free education as anyone, but I maintain that you must have some elasticity in your educational system. The School Boards elected by the ratepayers have been told that they might have a few fee-paying schools in order to keep up a higher system of education. It is easy to level down, but it is much more difficult to level up; ratepayers, like children, require to be educated, and when they have been sufficiently educated to understand the value of higher schools, no doubt they will make additional contributions from the rates, in order to keep them up. But, at present, we have no evidence of their willingness to do this. The hon. Member for the University of Glasgow has stated that the percentage of children in the higher standards is greater in fee-paying schools than in free ones. In Glasgow, not only was the percentage in the higher standards in the fee-paying schools much higher than in the others, but in regard to specific subjects, while only 3 per cent. passed in the free schools, 17 per cent. passed in the fee-paying schools. Although I am in favour of free education, I am also in favour of a certain amount of elasticity being allowed to the School Boards, knowing that as soon as public opinion demands that all the schools shall be free they will be made free by the School Boards, elected by the people, and without the need of special legislation.

(1.5.) MR. C. S. PARKER (Perth): My right hon. Friend the Member for the Bridgeton Division has referred to the opinion I expressed on a former occasion, that before discussing this subject we ought to wait until we saw the Code, and I think the House will now admit that through the delay we have been enabled to debate the question with more advantage. But I agree also with my right hon. Friend the Member for Leeds, that it is desirable, likewise, before any further change is made we should have the experience of the School Board elections so soon to take place. It is easy to make assertions on either side, but those elections will show whether or not the ratepayers and parents approve of retaining some fee-schools. In the meantime I regard the present as being in a great degree a temporary and makeshift arrangement. I agree there is a good deal of force in the argument about creating class distinction; but hitherto in Scotland it has been the practice for those parents who can afford it to pay fees. If this be entirely forbidden, what I fear is that the Boards may be short of money to keep up the high standard hitherto maintained, until we can educate the ratepayers up to doing so. A great deal has yet to be done in regard to secondary education, and we shall require more aid both from rates and taxes. I doubt whether we shall get all we want unless we economise what we already have, and what could be a better or more natural source of income than to allow parents to continue to pay fees where they are both able and willing to do so?

(1.10.) The House divided:—Ayes 69; Noes 121.—(Div. List, No. 27.)

House adjourned at twenty minutes after One o'clock.

HOUSE OF LORDS,

Friday, 14th March, 1890.

SAT FIRST.

The Earl of Malmesbury, after the death of his uncle.

THE NEW EDUCATION CODE.

QUESTIONS—OBSERVATIONS.

*EARL BEAUCHAMP: My Lords, seeing the Lord President of the Council in his place, I will ask him when we may expect to have the print of the New Education Code, which was laid on the Table of your Lordships' House on the 10th March, furnished to us?

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): In answer to my noble Friend, I will state the circumstances which have prevented the Code being furnished in printed form as early as is usual. My noble Friend is aware that the late Secretary of the Education Department died suddenly, and some time must elapse before matters can be brought into the condition in which they would have been if he had lived. Had his death not occurred the printed Code would have been furnished earlier. No delay took place in the appointment of a successor, but that gentleman has necessarily had a great deal of business thrust upon him in taking up his predecessor's work, and his time has been very much occupied. I may add that a great misfortune also has happened to him. A few days ago his wife was taken from him suddenly, and he was obliged to be absent from his duties for necessarily a time. There has consequently been some delay in printing the New Code, though it is in a forward state. It is now in print to a great extent, but requires careful revision. Measures have been taken for the preparation of the Instructions to Inspectors, so that they also will be laid upon the Table, if not actually with the Code, not long afterwards. I believe before the House rises for the Easter Recess the Code will be in your Lordships' hands. I need hardly say that I will do my best to secure it.

*EARL BEAUCHAMP: Then may I ask whether the time for objecting will be extended?

*VISCOUNT CRANBROOK: Yes; the time will run from the presentation of the printed Code.

THE FORTIFICATIONS AT COLOMBO.

QUESTIONS—OBSERVATIONS.

*LORD CHELMSFORD, in rising to draw attention to the incomplete condition of the fortifications at Colombo; and to ask the Under Secretary of State for War when the armament for the several batteries of that station, which have been ready to receive it for some considerable time, will be delivered to the Ceylon Government, said: My Lords, I have placed on the notice Paper the question which appears in my name, because when recently in the Island of Ceylon I found considerable dissatisfaction existing among the members of the Legislative Assembly at the action of the Government with regard to the arrangements for the fortification of Colombo, in laying the cost of the fortifications on the revenue of the island. I certainly consider that it is a little unfair upon the island, which I have no doubt your Lordships are aware is very poor, that this charge which is entirely for Imperial purposes should have been laid upon the revenue of Ceylon. I think the money would have been much better employed for the actual purposes of the island. All the members of the Legislative Assembly were extremely annoyed that after the fortifications had been built with the money raised from the revenue of the island, they could not receive an assurance from anyone that the guns would be provided for the different batteries which had been constructed at their expense. Since placing notice of this question on the Paper I have seen by last night's Report that the Secretary of State for War has assured the other House that those guns will be provided during the current year, and I hope that assurance will be satisfactory to the members of the Legislative Assembly and the people in Ceylon, who are naturally a little impatient at the delay which has occurred. I wish to state that I have put this question on the Paper without any idea of imputing

blame to the present War Department for the non-provision of these guns. I am well aware that the lamentable delay in providing guns for the different coaling stations cannot be laid at the door of the present administration or of the former one, or even of the one before that; it must be referred back to the time when, unfortunately, those in power chose to ignore what all the military nations in Europe were doing, and neglected to keep pace with them in changing the ancient muzzle-loaders for modern breech-loading guns. They would not throw aside the old antiquated system which had been proved by all other Powers to be inadequate. With these remarks, I beg to ask the question which stands in my name.

THE PAYMASTER GENERAL (Earl BROWNLOW): I think your Lordships will agree with me, and I am quite sure no one will more readily concur than Lord Chelmsford himself, that it would not be for the benefit of the Public Service if I were to enter into too much detail in answering the question which has been put to me by the noble and gallant Lord with regard either to the size, position, and character of the emplacements, or to the calibres of the guns, which are to be fitted to them. However, I am very glad to be able to inform the noble and gallant, Lord I am advised that of the emplacements, a considerable number are now absolutely finished, and in some of them the guns are mounted. Some, on the other hand, are not finished, but are in a forward state, and one battery, I believe, is not begun. The reason for that battery not having been commenced is that, as I dare say the noble and gallant Lord knows, it has been found to be in a very cramped and inconvenient position, and it has been determined to remove the battery. Delay has occurred in commencing the work for this reason, that funds had to be provided by the Colony; but as those funds have now been voted, the work will be proceeded with immediately. It is hardly necessary for me to remind your Lordships that the completion of emplacements and fitting them for the guns is now a very different matter from what it was in former days. In the old times, the necessary work could be done almost in a few days, or at any rate in a very few weeks, and the guns could easily be mounted. But now it is very different: the steel rails for the rollers of the modern breechloading guns have to be bolted with long rods through the concrete in which they are fixed; then cement has to be run round the rods and the whole affair has to remain at rest without being touched for six months, while the cement is hardening. Until that time at least has elapsed, the guns cannot be mounted. All those things necessarily take a very long time. Then, with regard to the guns themselves, I am happy to say that a very considerable number of them, constituting the heavy armament, have been despatched, and we have received news of their arrival. Some of them, indeed, are already mounted and some of them are being mounted. As regards the quick-firing guns which are intended to be sent to Colombo, they are already finished, and are at this moment awaiting shipment. We hope to get them off very soon. Another issue of heavy guns will, we hope, be made in May, and we hope to have all the other guns ready by the end of the year. To sum, up I may say that we hope to have the whole of the defences of Colombo finished by the end of the coming financial year.

COUNTY COUNCILS ASSOCIATION EXPENSES BILL.—(No. 37.)

THIRD READING.

Order of the Day for the Third Reading, read.

*LORD NORTON: My Lords, I beg to enter my protest against this Bill before it leaves your Lorships' House. It is a Bill to enable County Councils to subscribe to any association for the purpose of consultation and discussion on any matters relating to Local Government. A great many of your Lordships are on County Councils throughout the Kingdom, and I appeal to those noble Lords whether the County Councils have not already shown themselves only too prone to wander from their executive and administrative functions, and to enter upon unauthorised legislative disquisitions. In fact, the whole country is breaking up into fragmentary parliaments or assemblies for the purpose of talking *ad populum*, instead of acting in the plain service of the people. The very exact limit to the expenses of such talking, which this Bill proposes

is in itself an absurdity. It provides that the expenses of such consultations shall not exceed in the year in any county more than £31 10s.—a very arbitrary sum. It seems to me that the very fixing of such an average itself proves the unpractical and purposeless nature of the Bill. But it is proposed that this sum which will be a kind of County talking-rate, may take the form of an annual subscription to an association for the purpose, and for the reasonable expenses of representatives attending them. This seems to betray the electioneering cant of the day. We are already dissatisfied with the delegation of almost Parliamentary functions to the County Councils, and we want to add a still lower stratum of representative assessors to consult and debate with them. It may be said this is to cost only a small sum; but its smallness is the thin edge of the wedge, and larger sums will be hereafter subscribed by County Councils as debating societies. There is also an omission in the Bill; it does not provide for any expenses of deputations to wretched Ministers, particularly the Presidents of the Local Government Board, whose holidays will be bespoken by these consultative County Associations. I know it is useless for me to take your Lordships' opinion upon the Third Reading, but I offer these remarks upon the Bill that it may not leave this House without a very solemn protest being made against it.

LORD HERSCHELL: I cannot help thinking that my noble Friend who has just spoken is needlessly apprehensive, and that he is without sufficient ground for his apprehension, for this reason, that a similar association has been in operation for many years of the Municipal Councils of England and Wales, and that that association has met and consulted with great practical advantage to the work of the Municipal Councils. I cannot admit myself that the County Councils are likely to be inferior in wisdom or practical sense to the Municipal Councils; and unless they are we have experience from the actual operation of the Municipal Councils Association in the past that there is no danger in their consultation. There can only be danger if the County Councils cannot be trusted to exhibit as much common sense and application, really, to their work as the Municipal Councils have displayed.

Bill read 3ª (according to order), with the Amendments, and passed, and sent to the Commons.

LARCENY ACT, 1861, AMENDMENT (USE OF FIREARMS) BILL.—(No. 18.)

THIRD READING.

Order of the Day for the Third Reading, read.

*THE EARL OF MILLTOWN: My Lords, there is an Amendment which I have to propose, but it is a very small one. It is for the purpose of restoring the Bill to the same condition in which it was when it left your Lordships' House last year. On the Third Reading, my late lamented Friend Lord FitzGerald proposed that Clause 61 of the Larceny Act should be added to those already in the Bill, and so render those persons who should be convicted under it liable to the penalties imposed by the Act. By some mistake that addition, which was consented to by your Lordships' House and passed, has not been printed with the Bill, and therefore has not appeared in the copies which have hitherto been placed before your Lordships. The 61st clause enacts that—

> "Whosoever shall steal any cheques, monies, or valuable securities from any dwelling-house, and shall by any means or threat put any one being so threatened in bodily fear, shall be deemed guilty of felony, and being convicted thereof shall be liable"

and so on. My noble and learned Friend then stated, as well as I remember, that it was within his personal knowledge that cases had occurred of firearms being used under those circumstances, and that is an offence which certainly ought to be within the purview of the Act. I therefore, with the object of restoring the Bill to the condition in which it was when it left your Lordships' House, propose this Amendment.

Amendment moved, in page 1, line 10, leave out the first ("and"), and after ("fifty-seven") insert ("and sixty-one"); Schedule, page 5, after paragraph 58 insert as a separate paragraph; (61.) [Here insert clause 61 of 24 and 25 Vict. c. 96].—*(The Earl of Milltown.)*

THE MARQUESS OF SALISBURY: Before we go to the Schedule, I want to ask my noble Friend, whether on the whole he does not think it expedient to pay a certain amount of regard to—what shall I say?—I may say, the sentiments of the Master of the Rolls, in view of the fact that probably elsewhere those sentiments will be more fully echoed than they are here. I think that the words "twice or thrice" in lines 23 and 24 might wisely be omitted. No doubt a great deal of the benefit to be derived from the Bill may be expected to proceed from the first whipping, the first application of the 50 strokes, and I do not think that the second or third whippings would be of sufficient advantage to justify my noble Friend in weighting his Bill with that which will adversely affect it elsewhere. I only suggest that as a matter of prudence.

*THE EARL OF MILLTOWN: Of course I should desire to accept any suggestion coming from the Prime Minister, but I must point out that the words of the clause are not mine. The noble and learned Master of the Rolls was under a total misapprehension of the law upon the subject when he made his statement to this House. In laying down certain rules for the flogging of these misdemeanants, I was simply copying the words of the Act of Parliament for which my noble Friend now present is responsible, and which was passed in 1866 for the purpose of stopping the crime of robbery with violence usually called "garrotting." I have made no alteration in it whatever. It is just the same thing, and if I accept the Amendment of the noble Marquess the clause will be made altogether different to the Act from which it is taken and which it simply extends. However, if the noble Marquess, under the circumstances, still thinks it would be advisable to make a difference between the present Bill and the existing Act of Parliament, I shall of course adopt his suggestion. At the same time I do not anticipate any very great hostility in the other House, if only Her Majesty's Government will do something to enable it to come to a decision upon the Bill.

LORD HERSCHELL: I cannot agree with the noble Earl that the proposal made by the noble Marquess would alter the existing law. No doubt in a single Act it is provided that there should be or may be these repeated whippings administered. But we have now to consider, not the Act, but the application of the punishment of whipping for an altogether different series of offences, and unless the noble and learned Earl means to say that because in one Act this punishment has been awarded or rendered possible, it has become part of the British Constitution, and that in all other Acts into which it may be thought advisable to introduce the punishment of whipping, it must be administered "once, twice, thrice," I confess I cannot understand his reasoning. We have now for the first time to award this punishment for a number of offences, and the question is whether in so awarding it we shall make the punishment once whipping, or inflict it once, twice, and thrice. We are not in the least concerned now with another Act, passed more than 20 years ago, which deals with another class of offences; and I cannot admit that when we are asked to begin afresh to extend this punishment of whipping, as proposed by this Bill, to the offences which are there dealt with, we are pledged to follow the same process in its infliction—that for all time we are to imitate the method thought right 20 years ago, even if we should think it right to flog at all.

*LORD NORTON: I think there would be considerable force in what has fallen from the noble and learned Lord if this Bill were upon a totally different subject and applied to a totally different kind of crime to that which is dealt with by the former Act, but it is simply because the crime dealt with by this Bill is of exactly the same character, only if anything worse in degree than the crime dealt with by what is called the "Garrotting Act," that there is a fair inference to be drawn from one Bill to the other that the two will be equally successful. The noble and learned Lord spoke as if corporal punishment were proposed to be applied to a totally new category of crime. That is not the case, for the subject-matter of this Bill is practically identical with that which is dealt with by the Act from which it is drawn. The Garrotting Act, which was so very successful, applied corporal punishment to people who murderously attacked for robbery in the dark. In one case the

garrotters broke the jaw of an old gentleman in getting his watch. This Bill would similarly deter from murderous burglary. For that class of crime this has been found to be a deterrent punishment. Unless punishment is made deterrent you had better have no punishment at all; there is no use. On the Second Reading the noble Lord said this was retrograde legislation; but, in sequence of a series of like legislation, it is a step in advance. It is an application of precisely the same principle, not trenching on any new ground, not trespassing on anything experimental. There is no sense in comparing the whippings now inflicted with the floggings of a former age, and it is simply from the fact that in the olden times floggings were brutally excessive and therefore were abandoned, that the inference is drawn that the great and most needful resource of corporal punishment cannot be admittedly applied. As to the proposition which has come from the Prime Minister, I think the noble Earl who introduced the Bill is wise in accepting it; though I am to a certain extent sorry for it, because it will look as if this House had flinched from following the precedent which has already been successful, and the fact may be quoted in other places as showing that, after all, your Lordships have flinched from the full conviction upon which you, by large majorities last Session, passed the same Bill. The Prime Minister himself expressed an opinion that a considerable check was given to garrotting even before that Act passed. The mere threat of the Act operated to check the crime, and so I think the mere threat of this Act will be a check, and has already proved a check, to the use of firearms in burglary. I am sorry, therefore, that the effect of this Bill should be diminished in any respect at all. At the same time, I think the noble Earl was right in accepting the omission proposed.

*THE EARL OF MILLTOWN: My Lords, I am not of a particularly bloodthirsty disposition, but I think it is necessary to award the necessary punishment to brutal burglars. My contention is that this punishment will deter them from putting a six-shooter in their pockets when they set out to commit burglaries, and I am quite satisfied that many of the sacrifices of life which have occurred would have been avoided had this measure been in operation. As I am upon my legs I should like to refer for a moment to what was said by the Master of the Rolls.

LORD HERSCHELL: This is a little out of order. The noble Earl has spoken upon the proposal of the Prime Minister. He can hardly reply in this way to what has been said by those who have spoken since.

*THE EARL OF MILLTOWN: Then I beg leave to move that Amendment.

THE MARQUESS OF SALISBURY: With regard to line 25, may I take the opportunity of saying that I have no wish to flinch—a word which is perhaps more applicable to another person in these proceedings—from doing what I consider absolutely necessary, but I think it is not desirable to go further than is absolutely necessary, and we may very well go by steps. Your Lordships may remember that the Master of the Rolls, in his speech, raised questions of a disagreeable anatomical character, which in the other House may possibly have some effect.

Amendments agreed to.

*THE EARL OF MILLTOWN: My Lords, in moving that the Bill be passed, I may perhaps now be allowed, notwithstanding the criticism of the noble and learned Lord, to say a few words with regard to the objection taken yesterday by the Master of the Rolls as to the 1st clause in the Schedule, which applies to cases of sacrilege. The noble Earl Kimberley made the same objection last year, on the ground that persons do not ordinarily live in churches and places of Divine worship, and therefore that nobody was likely to get hurt there by an armed burglar. I think that states the substance of the objection of the Master of the Rolls. But if I recollect rightly, a case occurred some time ago in which a Roman Catholic priest made a most plucky defence of his church against a burglar who was attempting to steal the communion plate, and though the burglar was armed, the priest managed to frustrate his intentions. But a most remarkable case, which I recommend to the attention of the noble Earl, was a case which was tried at the Old Bailey, in, I think, the year 1884,

when a burglar named, I believe, Orrock, going on a predatory expedition, and having provided himself with a six-shooter, seeing a church apparently unprotected, proceeded to effect an entrance with the object of stealing the communion plate; but a policeman came upon the scene, and attempted to arrest Orrock, who thereupon pulled out his six-shooter and shot the policeman dead. Orrock was tried at the Old Bailey, before Mr. Justice Hawkins, convicted, sentenced to death, and executed. Thus two lives were lost, neither of which possibly would have been sacrificed had the provisions of my Bill been then the law of the land, for I think it probable that in that case the burglar when he placed the pistol in his pocket had no intention of using it for the deadly purpose which he afterwards carried out, and had my Bill been in operation would have left it at home rather than run the risk of a flogging.

THE EARL OF KIMBERLEY: The noble Lord has alluded to something I said last year. These are matters of opinion. He does not think that occurrence would have happened if this Bill had been the law of the land, but I think it would. That is, of course, a matter of opinion entirely. There are many other crimes committed where people have pistols and use them, and I do not see why this particular crime has been selected. As the noble Lord has mentioned one case, I will just mention another, which happened not very long ago in my own county. A man stole a horse, a policeman attempted to arrest him, and he fired at the constable. As far as I can see, this penalty ought to have been applied to that man just as much as to a criminal committing a burglary. My objection to the Bill is simply this, that if you introduce the practice of whipping in this particular instance, I cannot see the slightest reason why you should not extend it to a vast number of other offences. I still maintain my opinion that it is a retrograde step, and one which is inconsistent with our whole system for long years past, during which we have had a considerable diminution of crime. I therefore see no reason at all for passing this Bill.

Bill read 3ª (according to order); Amendments made; Bill passed, and sent to the Commons.

The Earl of Milltown

TELEPHONE WIRES AND COMMUNICATIONS.

QUESTION—OBSERVATIONS.

THE DUKE OF MARLBOROUGH: My Lords, the question which I have put down upon the Paper has really reference to a Motion which I had the honour to make in your Lordships' House last year, when I asked the question of the Prime Minister what the intentions of the Government were with regard to the development of the telephone in this country, and especially with regard to the action of the Post Office. Really the subject is one which is of very great interest at the present time, because we may say that the telephone as a system hardly exists yet in this country. There have been many causes which have produced difficulty in developing the telephone; but I may say, having myself some personal experience, having largely used the telephone, and having carried out a great many experiments with it, that a more valuable and useful invention has not been produced in this century. Its adoption, however, very much depends for general use upon its being more perfectly developed. I may say that if it were fully developed any of your Lordships might be sitting quietly waiting at your writing tables, and you could have beside you a little box into which you could talk to your friends living at different places all over London, and at much greater distances, thus saving the trouble of correspondence and of sending telegrams, because the telephone is a far preferable mode of communication to the use of either telegrams or of correspondence. In fact, so capable is it of complete development that by means of it you can talk to persons as easily between London and Brighton or between London and any others of the large towns in England, and be as plainly heard as your Lordships can hear me in this House at the present moment. I am quite sure that the public is in favour of my view, that is, that the telephone is one of those valuable inventions which we all ought to have complete and entire facilities in using. That, my Lords, must be my apology for pressing the matter again on the attention of your House. The moment has come when, in the words which I think were used by the Prime Minister

last year, it is necessary for us, and when, as I say, it behoves the Legislature to take some steps in the matter, and to consider the action that is to be taken by the Government in reference to it. The valuable patents of Bell and Edison, that is to say several of them, the main patents, expire, I believe, this year, and therefore it is necessary if anything is done that the Government should now either undertake to establish a telephone system in London, or that they should be willing to depute those powers which they possess to public companies who are willing to take up this work. In order to develop a telephone system in London a very large expenditure of capital would be required; I should say that no private company ought to start upon such a work which could not command £1,000,000 sterling of capital. The expense of laying great main circuits round London, and the expense of establishing main stations and sub-stations, would be very great; the running expenses also would be very large, and I think it would certainly not be safe for a private company to undertake the work under a capital of, say, £1,000,000 sterling. Therefore, my Lords, the question arises whether Her Majesty's Government would be prepared to recommend that an expenditure to so large an amount should be incurred, and thereby, in fact, an organisation established which would be quite as important as that new branch of the Post Office, the Parcels Post, which was established a few years ago; that is to say, whether Her Majesty's Government are prepared to recommend that so large an addition as that should be made to the work of the Post Office or not. That, of course, is a matter for Her Majesty's Government to decide. When I ventured to bring this matter before your Lordships' House last year there were several points which I ventured to touch upon. One was the question of communication; that is to say, overhead wires; and the other was the question of administration. The noble Marquess rather suggested that I had somewhat mixed up two questions which were entirely separate; but I would venture to point out to him that really the two questions are inseparably connected and combined; because, of course, a telephone system is impossible unless provision is made for wire communication and for its administration. It is therefore absolutely necessary in developing the telephone, to provide for that. In 1885 a Committee of the House of Commons sat upon the whole question of telephones and telephone wires. That Committee heard the evidence of the Post Office officials; it also heard the evidence of the engineer to the Post Office, of the Chairman, solicitor, engineers, and officials of the United Telephone Company, and of the Chairmen of the various sub-Telephone Companies which then existed; and that Committee then came to a conclusion upon the matter and made a Report. If your Lordships will permit me to say a few words about this Committee and their Report, I think it will help to clear up the question in the public mind. The object of the Committee was to find out what were the difficulties which existed with regard to overhead wires, and with regard to establishing communications, and as to what facilities the Post Office might give, and could give, in the matter; and the curious fact was brought out that the law is in a state of very great confusion on the whole question. Now, with regard to the powers which the Postmaster General exercises; he exercises his powers under various Acts of Parliament which were passed between the years 1863 and 1878. He obtains a monopoly by the Act of 1869, and the Act of 1868 gives him further powers with regard to the railways. In a few words, the Postmaster General has, practically, sufficient powers for the purpose of running telegraphic communications. He can, by giving notice to the Highway Boards, lay underground tubes or erect posts for the purpose of carrying wires along the highways; he can also give notice to private individuals and proceed to erect wires over their houses provided he does not approach them within a certain distance, and provided that what is required to be done comes within the powers possessed by the Post Office. There was no complaint made before the Committee that the Post Office were short of powers to do their work. Therefore we arrive at this fact: that if Her Majesty's Government are prepared to undertake the establishment of a telephone system themselves, the Postmaster General possesses all the powers necessary for the purpose of carrying out the

work. But a curious point arises. Your Lordships are no doubt aware of the fact that when the litigation took place with regard to these matters, and the Post Office Authorities won their suit, licences were then given by the Post Office Authorities to the United Telephone Company. They gave a licence to the United Telephone Company as a company to make communications for use between individuals and through their Telephone Exchanges, but they gave no running powers. The consequence was that the United Telephone Company, or as they call themselves now, the National Telephone Company, were in the position of any other private individual. They had no powers to break up roads such as were possessed by the Postmaster General, but they had to run their wires as best they could. They had to go and ask the permission of householders to put up their wires. They might or might not get that permission; and when they did get permission, they had to run their wires in and out in every sort of way for the purpose of making communications, and householders had the right even to pull down those wires if they annoyed or troubled them in any way. There is no question, therefore, that the system, such as it was, could hardly have been developed unless very large powers had been conceded to a company. Now, the question is, would the Government, if not themselves prepared to take up this work, be prepared to recommend that the Postmaster General should concede powers to a company sufficient to enable them to do the work? There was a suit called the Walworth suit, in which the parish authorities tried to stop the United Telephone Company from running wires across the roads. That case was decided against the parish authorities, and it was held, that inasmuch as the roadways are only the property of the public for the purpose of traffic, the public have no right either to the soil under the roads—that is to say, no underground right, nor have they any right overhead—that is to say, towards the sky, except so far as regards anything which may impede the public traffic; and it was held by the Court of Appeal that any individual may run a wire across a roadway, provided it be placed at a sufficient height so as not to impede the traffic. The consequence is, that by that lapse of the Legislature, the Telephone Company have been able to get across roads and streets, though, curious to say, the Postmaster General has not those powers, because the Postmaster General can only act within the four corners of the Act of Parliament under which he derives his powers. Your Lordships will see, therefore, there is a confusion in this sense, that as there is no proper law regulating the right of crossing roads, private individuals and companies can act as they choose; whereas the Postmaster General is bound in a way that the companies or private individuals are not. It came out very strongly before the Committee that that was looked upon as a very great blot in the matter, and one which should undoubtedly be speedily remedied. Now, my Lords, the next question which arises is this. I will not trouble your Lordships by reading any portions of the Report, because I know that the matter is one in regard to which, in order to explain it clearly, one would have to go rather fully into it; and I think it is best to state the matter simply in a few words. With regard to the Report, this question occurs: Are Her Majesty's Government satisfied that the information we at present possess was sufficiently brought out by the Report of this Committee; or is it, in their opinion, advisable that a Committee of your Lordships' House should be appointed in order to inquire still further into the questions, first, as to the running of overhead wires, and secondly, what would be the best course to adopt with regard to the Post Office undertaking the telephoning of London? If the noble Marquess and the Government are of opinion that a Committee is not necessary, it might be possible to come to a still more speedy decision in the matter, because undoubtedly the information which this Report contains is, one may say, almost exhaustive as far as the present state of the law goes; and I do not think it has much changed since that period. There are various points which are necessary to be considered. In the first place, undoubtedly, the telephone, to be of any service, should be cheap. At the present time it costs £20 a year to each subscriber; consequently, the development it has assumed is perfectly contemptible in comparison with what it

might soon become. I see by a book of the Telephone Company's, which I have here, there are only 11,104 subscribers, as far as I can make out; therefore, your Lordships will see that it really is not worth while, in the opinion of many people, to pay this charge of £20 a year. Most of those people who use it are stockbrokers, merchants, and people in business. No doubt, a broker in the City finds it very useful to be able to telephone to his bankers; but to us at the West-End of London, who could likewise use the telephone for our business purposes as well as for our pleasure, that may be considered too high a charge, and we do not feel sufficient temptation to use it and pay £20 a year for that privilege. That is because there has been no development of the system. For that purpose I think we cannot do without the overhead wires. That was brought out fully in the Report. Surely there can be no objection to them. It is a very small wire that is used for this purpose, weighing about 2lbs. to the 100 yards, fine copper wire. There is no danger in running these lines of fine copper wire overhead, and it is simply a question whether we should not, under proper regulations, allow the running of these wires in that way. There is no doubt that you cannot so run them unless you have power to take them over the premises of private individuals (always provided that you do not do them any injury) without their consent. The Postmaster General has that power, though if an owner can prove damage the wire has to be removed. But without that power to enable wires to be run over roofs we cannot have a telephone system in London. There is only one other point which I should like to mention before my question is replied to, and that is, that if the Post Office are going to take up this matter and create a Department for this purpose, the question of power really does not signify; but if there is to be any question of deputing these powers to public companies, two things will have to be considered: first, whether the Postmaster General has the right without going to Parliament to concede the powers he at present possesses to a public company—for at present the Postmaster General has not conceded any of his power; he simply gives a licence to the company to carry on the work; and as that cannot develop the system, the first question is, whether the Postmaster General is prepared, in case the Post Office Authorities do not themselves take up the work, to concede his powers; and, secondly, can he concede them without a special Act of Parliament? That is a very important question. Then there is also the question whether, if this work is to be given to any public company, it is to be made the subject of competition. If so, there must be some limit to the competition, otherwise you will have numerous lines running side by side. If you are only going to give the power to two companies, well and good; but if you are going to give it to three or more it will not do. Even if you are going to have two companies, you will have one person who is a member of one company and another person who is a member of another company desiring to communicate. There will be no communication between the Exchanges of those two companies, and therefore a man who may want to talk to a person who is subscriber of another company will be unable to do so because that person belongs to a different company. Therefore, your Lordships will see that it is necessary there should not be more than two companies, at any rate, on that ground alone. Then, again, you must have overhead wires, and you must consider what the result will be in that respect. In the City of New York, where for many years they allowed this overhead system to go on unimpeded and unchecked, there were sometimes as many as 300 or 400 wires of various kinds—electric, telephone, and telegraph wires running together overhead. Some of them would, perhaps, be dead, and at last they got into such inextricable difficulty with them altogether—there was so much confusion among the various wires and pipes, that they did not know which of them were dead and which were alive. There were live and dead telegraph wires as well as telephone and electric lighting wires; and the end of it all was that the whole thing had to be taken down and put up anew. If you are not careful to prevent it you will have the same thing with regard to the telephone; and if more than two companies were to start this work, we

should get into a state of hopeless and inextricable confusion. I wish, therefore, to ask Her Majesty's Government, in case they do not propose themselves to undertake this work, whether they would propose to put it up to the competition of more than one company, or whether they would give it to one alone? No doubt, if you give this right to a public company, the operations of that public company will largely interfere with the receipts of the Telegraph Department of the Post Office, but I am sure your Lordships will not think that it would be right for a great invention which would be useful to us all to be burked or stopped in its development because it would interfere with the receipts of a venture which the Government bought and took over many years ago. Large profits, are undoubtedly, to be obtained from working a telephone system. The present Telephone Company began by running up their shares in the market to the amount of 300 per cent; that is to say, the £5 shares went up to very nearly £15, and the shares in the sub-companies also went up considerably. Not long ago they combined together and amalgamated their stock. They took their stock at its market value, as they called it, they called that new capital, and they issued it in the form of new shares. That is to say, they practically watered the capital of that company to the extent of the boom that had been given to it; so that that large amount was practically coming out of the profits of the business. I say, therefore, that as the profits of this business are very large, the Government would be justified in charging a very high royalty in reference to conceding the powers which the Postmaster General possesses; and, on the other hand, they might keep under their own control the main trunk lines between the large towns, so that the Exchanges would have to use the Government lines whenever they wished to communicate between the different Exchanges and different systems. Then, undoubtedly, with regard to the municipal telegraph receipts, the telephone will interfere with the telegraph. It is much easier to make a telephonic communication than it is to send a telegraphic message. It is infinitely more convenient to communicate by telephone than by telegram, because you can get an answer at the same time, so that no doubt the telegraph receipts will be interfered with; but the Government will protect itself in that respect by the royalty it will charge. My Lords, my questions are:—First, whether Her Majesty's Government consider it would be advisable to appoint a Committee to inquire into the question of running overhead wires, and also into the question whether it is advisable that the Post Office should itself adopt and carry out the working of this general telephone system; and, secondly, whether Her Majesty's Government would be prepared, if they decide not to take up the working of it themselves, to grant to public companies the rights which the Postmaster General now possesses; and, thirdly, whether they would refrain from giving those rights to more than, say, two companies, owing to the great state of confusion which would arise therefrom. I think, my Lords, that covers all the questions I wish to ask, and I have only now to thank your Lordships for the patience you have shown in listening to these remarks.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, as I have the honour to represent the Post Office in this House, your Lordships will allow me to answer the questions which have been put by the noble Duke. At the outset, I say at once that I am sure your Lordships will all agree in the great importance of the subject which the noble Duke has brought before the House, and I am sure we shall be equally unanimous in our desire that no undue obstacle should be put in the way of the development of telephonic communication in this country for the convenience of the public in any way by which that development can be reasonably brought about. The noble Duke referred to the discussion which took place last year in this House upon a kindred subject. The questions which he then brought forward were somewhat different, involving as they did questions regarding overhead electric lighting wires and other matters of that nature, as well as a certain scheme of amalgamation which occupied a considerable part of the speech he then made. Your Lordships may recollect that in the Motion last year the concluding part of

the Motion which he then made for the appointment of a Select Committee foreshadowed and bore some resemblance to the main part of the Motion on the Paper this evening; and, as to that, the noble Marquess at the head of the Government intimated that he did not think it was a desirable subject of inquiry. Now, my Lords, I have to repeat that expression of opinion, and for what I venture to think at the present time is even a stronger reason. As the noble Duke has said, some patents of great importance will expire at the end of the present year, and I am authorised to say that the relations of the Post Office with the Telephone Companies are at present under the consideration of the Government. Your Lordships will observe that these are matters involving large questions of private right, and, therefore, it is not very desirable that at this stage they should form the subject of investigation by a Committee. It is, therefore, better that the more usual and proper course should be followed, which would be for the Government to make up its mind with regard to what proposals should be made in these matters, that it should then communicate them to Parliament; and that Parliament should express its opinion upon them. Therefore, I hope that, as regards the latter part of the Motion, the noble Duke will not press his request for an inquiry by a Committee of this House. With regard to the first part of the question, there are, of course, not absolutely the same objections to the inquiry; but, under the circumstances which I have mentioned, and considering the fact that it was inquired into by a Committee of the other House so lately as 1885, I venture to express in a general way the opinion that it is undesirable to re-open the matter at the present time. I am far from saying that the whole question was thoroughly threshed out by that Committee; and undoubtedly, as the noble Duke has said, confusion exists in regard to the exact state of the law in the matter, so that if the noble Duke presses for a Committee of inquiry, and will put the exact terms of the Motion and reference on the Paper, I think we may promise to give the matter the most careful consideration; but, at the same time, unless he has good reasons for pressing for it at the present time, I think it is undesirable that the matter should be gone into during the present Session.

THE DUKE OF MARLBOROUGH: My Lords, with regard to the point as to the difference between the Motion of last year and the present one, I wish to avoid bringing in any question as to the electric lighting wires, because that is rather a question for the Board of Trade authorities, and it comes to a large extent under their functions. With regard to the appointment of a Committee of your Lordships' House, until Her Majesty's Government have expressed their intention with regard to the action of the Post Office Authorities, I quite understand that it would be undesirable to inquire into the development of the telephone itself. But with regard to the question of giving power for running over-head wires, I think your Lordships have got complete information in the Report of the House of Commons Committee. The point I would press on Her Majesty's Government is that it is very desirable that Her Majesty's Government should intimate to the public the line of conduct they mean to adopt as soon as possible, and that we should also know, when they do inform us of it, what they propose to do in regard to taking up the work, whether they mean to give these powers to public companies, and the conditions under which those powers should be given. I, therefore, withdraw the Motion as it stands, and leave it to Her Majesty's Government at some future date, which I hope will not be very late in the Session, to state their intention upon the subject.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have discharged the Earl of Minto from the Standing Committee for Bills relating to Law, &c.; read, and ordered to lie on the Table.

House adjourned at half-past Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 14th March, 1890.

PRIVATE BUSINESS.

LONDON STREETS (STRAND IMPROVEMENT) BILL.

(*By Order*).

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading of the Bill be postponed until Tuesday."

MR. R. G. WEBSTER (St. Pancras, E.): Before that Motion is agreed to I should like to make one or two observations to the House. This Bill contains a great many novel propositions. It appears to me to be nothing more nor less than a measure to give compulsory powers to take over——

*MR. SPEAKER: Order, order! The remarks of the hon. Member will be appropriate when the Bill comes on for discussion; but the Motion now before the House is to postpone the Second Reading until Tuesday next.

Question put, and agreed to.

JOINT STOCK COMPANIES.

Returns ordered—

"Of the Names, Objects, or Business, Places where Business is or was conducted, date of Registration, number of persons who signed the Memorandum of Association, total number of Shares taken up by such Subscribers, nominal Capital, number of Shares into which it is divided, number of Shares taken up, amount of Calls made on each Share, and the total amount of Calls received, of all Joint Stock Companies formed since the 1st day of January, 1889, to the 31st day of December, 1889, inclusive, distinguishing whether the Companies are Limited or Unlimited, and also the number of Shareholders in each of the said Companies at the date of the last Return, and whether still in operation or being wound up;"

"Of the total number having their registered offices in the City of London, or within five miles of the General Post Office;"

"And, of the total number and the paid up capital of all registered Companies which are believed to be carrying on business at the present time."—(*Sir Michael Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 97.]

NEW WRIT

For County of Cavan (Western Division), *v.* Joseph Gillis Biggar, esquire, deceased.—(*Mr. Richard Power.*)

QUESTIONS.

SUSPENSION OF IRISH BOARDS OF GUARDIANS.

MR. HOWORTH (Salford, S.): I beg to ask the Attorney General for Ireland whether he can furnish a Return of the number of Boards of Guardians in Ireland which have been suspended, and of those which have been warned, during the last 10 years, and which shall also state whether the Boards so dealt with are situated in the poorer and more congested, or in the more prosperous, districts of Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): There have been 13 cases in which Boards of Guardians in Ireland have been dissolved within the last 10 years. The Local Government Board could not, without considerable trouble, state the Boards of Guardians which have been warned or cautioned during that time. The Local Government Board can specify the 13 cases in which the Boards have been dissolved, indicating also whether they are situated in the poorer or more prosperous districts of Ireland. If such information would be sufficient for the purpose of my hon. Friend I would suggest for his consideration the advisability of his applying for that information in the form of a question, so as to obviate the inconvenience of multiplying Parliamentary Returns.

MR. J. O'CONNOR (Tipperary, S.): Can the right hon. and learned Gentleman say whether these Boards of Guardians have been dissolved on account of political reasons, or because of their inability to discharge the duties entrusted to them?

MR. MADDEN: I am quite certain that they have not been suspended from any political motives.

IRISH LANDLORDS AND THEIR ESTATES.

MR. HOWORTH: I beg to ask the Attorney General for Ireland if he is now in a position to inform the House

whether landlords in Ireland who are selling their farms are also selling their houses and demesnes; and whether he can furnish a Return on the subject?

MR. MADDEN: The Land Purchase Commissioners have no information that would lead them to believe that resident landlords in Ireland are selling their houses and demesnes consequent upon their having sold their estates under the Purchase Act. It appears extremely doubtful that any case could be found of a landlord leaving the country in consequence of his having sold his estate to his tenants under that Act.

THE PUBLIC WORKS LOANS ACT.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland what effect had been given by the Board of Works to the Public Works Loans Act of last Session in requiring landlords to make good moneys lent by the State to tenants for improving their holdings, which holdings had since passed by eviction into the landlords' hands?

MR. MADDEN: I have made inquiry into the subject, and I am informed that since the passing of the Act referred to only two cases have been before the Board, and those cases are still under consideration.

MR. T. M. HEALY: Will the Board of Works allow the Act to remain a dead letter, or will they compel the landlords to disgorge?

MR. MADDEN: I have no doubt that the attention of the Board will be directed to the question of the hon. and learned Gentleman; but I have no further information to give as to the application of the Act.

MR. T. M. HEALY: I beg to give notice that I will move for a Return of the number of cases in which loans to tenants have been lost to the State by the action of the landlords during the last 10 years. Until the Board of Works gives that Return I will return to the question again and again.

ULSTER CANAL—CASE OF JOHN WALL.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Secretary to the Treasury whether he is aware that John Wall, who served under the Board of Works for 50 years as lock-keeper on the Ulster Canal at Magherarney, Smithboro, County Monaghan, was dismissed by the Board of Works, without pension or other compensation, on the 31st of March 1889, when the Ulster Canal was transferred to the Lagan Company; and whether, in view of the assurance which was given on the part of the Government when the Ulster Canal and Tyrone Navigation Bill was in Committee, that any existing interests in respect of pensions should not be lost or injured by reason of the transfer of the canal from the Government to the Lagan Company, he will see that this man receives compensation?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have not been able to obtain the information that would enable me to answer the hon. Member's question; but I have asked the Board of Works for a full Report.

MR. T. M. HEALY: May I remind the hon. Gentleman that fully a year has elapsed since this case was brought under the notice of the Treasury?

DUNKERRIN POOR LAW ELECTIONS.

MR. MOLLOY (King's County, Birr): I beg to ask the Attorney General for Ireland if his attention has been called to the following facts, namely, that previous to the late Poor Law Elections in Dunkerrin, five persons entitled to vote called upon Mr. George Minchin, J.P., to attest their signature to their forms of claims to vote, as required by Law; that this magistrate declined their application, on the ground that it would offend his Orange friends in the neighbourhood; that, in consequence of this refusal, these voters had to lose a part of their day's work, and walk 12 miles to another magistrate, to obtain the necessary attestation to their signatures; and what steps will he take with regard to this magistrate's conduct?

MR. MADDEN: I must ask the hon. Gentleman to postpone the question for a day or two, as I have not obtained the necessary Reports upon the matter.

MR. MOLLOY: I will repeat it on Monday.

MR. JOHN DALY.

MR. T. M. HEALY: The question which stands in my name is, to ask the Secretary of State for the Home Department if the evidence as to the treat-

ment of Mr. John Daly in Chatham Prison has been taken in writing; if it will be laid before the House; and will the prisoner be offered the option of removal to another prison? As a point of order, I wish to call attention to the fact that an important part of the question has been omitted. It contained, as I gave notice of it, a reference to the fact that, according to the admission of the Government, Daly had been poisoned by the administration of an excessive dose of belladonna. I want to know how long he was in the hospital, and whether the medical attendant has been suspended for administering the poison, or still remains in the service of the Crown? For some reason, utterly inexplicable to me, it has been thought fit to omit these questions. Seeing that I only referred to a matter of fact which has been admitted by the Government themselves, I submit that an improper licence has been exercised in editing the question which involves the curtailing of the liberty of an hon. Member in obtaining intelligence.

*MR. SPEAKER: A portion of the question was omitted because it assumed that the person mentioned in it had been poisoned.

MR. T. M. HEALY: It was so stated by the Minister.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No.

*MR. SPEAKER: I did not gather that from what passed in this House.

MR. T. M. HEALY: Then may I ask whether, as a matter of fact, this man was poisoned? I did not assume that he had been maliciously poisoned; but what I wanted to know was whether he had been maliciously or unmaliciously poisoned; and whether the man who compounded the drugs still remains in the service? The Home Secretary said at the time that he had been suspended.

MR. MATTHEWS: The wording of the hon. and learned Gentleman's question certainly would have the effect on an ordinary mind of inducing the belief that he was referring to an intentional poisoning. I am glad to learn that it is not so.

MR. T. M. HEALY: I beg the right hon. Gentleman's pardon; but he could not have said that about my question unless the clerk submitted it to him.

MR. MATTHEWS: I am speaking of the verbal question which the hon. Gentleman has put to me to-day. I am glad to accept his assurance that he does not mean to imply that there was an intention to poison. What I stated to the House some weeks ago was that the compounder in making up the medicine put an overdose of belladonna in it, and the convict was in the prison hospital for, I think, three days. The compounder was suspended, and, although he remains in the service, he does not perform such duties now. With regard to the question on the Paper, I have to inform the hon. Gentleman that a shorthand note is being taken of the evidence before the visitors in Chatham Prison; and when the Report comes in I shall be able to give an answer to the other parts of the hon. Gentleman's inquiry.

MR. T. M. HEALY: Was not this poison administered more than once?

MR. MATTHEWS: On three occasions, I believe. The poison was prescribed by the doctor as part of the medicine, and there was an excessive dose put in. The medicine was three times administered before complaint was made of the treatment.

MR. T. M. HEALY: I have now to ask Mr. Speaker whether there was anything irregular in my question as handed in?

*MR. SPEAKER: I have already stated that there was something irregular. I shall reserve to myself the right to expunge from questions anything reflecting on individuals and assuming facts which are not admitted.

MR. A. O'CONNOR (Donegal, E.): On the point of order, I wish to ask whether in cases where questions are altered, hon. Members might not have the fact drawn to their notice, so that they may be made responsible for what appears on the Paper?

*MR. SPEAKER: In ninety-nine cases out of a hundred that is done.

MR. JOHNSTON (Belfast, S.): I wish to ask the Home Secretary whether Daly did not attempt more than once to blow up the House of Commons?

*MR. SPEAKER: Order, order!

FAIR RENTS.

MR. O'HANLON: I beg to ask the Attorney General for Ireland, with reference to the 298 tenants from the

Union of Cavan, whose applications to fix fair rents were served in 1887, and whose rents have not yet been fixed, whether he is aware that these tenants, though entitled to the benefit of the reduced rents, on the rents running from May, 1887, have been since then and are still liable to payment of the old rents; whether this liability is owing to the delay of the Land Commission; on what date these applications will be heard; and whether, pending the hearing, the Government will prevent the landlords from collecting the old rents, as the tenants are in nowise responsible for the delay?

*MR. MADDEN: Pending the fixing of a judicial rent the tenant is liable for the existing rent. Not any over-payments made by him will be ultimately returned. There has been no unnecessary delay on the part of the Land Commission in hearing applications to fix fair rents, and sub-Commissioners have been sitting.

POSTMASTERSHIPS OF CAVAN AND LETTERKENNY.

MR. O'HANLON: I beg to ask the Postmaster General whether the postmasterships of Cavan and Letterkenny are at present vacant; if so, how long respectively is each vacant, and what is the cause of the vacancy in each instance; whether there is any present intention of filling these vacancies; and, if so, what is the reason of the delay in making the necessary appointments, and when will they be made; and if he can state what has been the cost to the Post Office Department, in each case, of maintaining these offices "in charge" from the date of the vacancy arising until the 1st instant, including the cost of finding substitutes, if any, in respect of the men who are now acting as substitute postmasters in Cavan and Letterkenny, in the offices from which each is respectively withdrawn?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The vacancy in the Post Office at Cavan has been filled, but there is still a vacancy in the Post Office at Letterkenny. The late postmistress there has been superannuated, and the question which had to be settled was the amount of her pension. I am not in a position to state the cost to the Department of maintaining these offices in charge from the date of the vacancies. Owing to the shortness of the notice given by the hon. Member, I have not been able to obtain all the information I have asked for.

MR. A. O'CONNOR: How long has the vacancy at Letterkenny existed, and how long is it likely to remain?

*MR. RAIKES: I think it has existed for about seven weeks. It generally takes about two months to fill up one of these vacancies.

MR. P. O'BRIEN: What is the name of the person appointed at Cavan, and where was he last employed?

*MR. RAIKES: I will inquire.

TULLAMORE GAOL.

MR. JOHN O'CONNOR: I beg to ask the Attorney General for Ireland whether Mr. O'Mahony and other prisoners confined in Tullamore Gaol under the operation of the Criminal Law and Procedure (Ireland) Act are compelled to exercise alone; will he state under which rule or bye-law of the Prisons Board they are so obliged to exercise; whether such treatment amounts to what is known as the silent system; whether the silent system is the punishment meted but to incorrigible convicts who break prison rules, and are not generally amenable to prison discipline; and what is the conduct of Mr. O'Mahony and the other prisoners referred to above which induces this exceptionally severe treatment?

*MR. MADDEN: The General Prisons Board report that Mr. O'Mahony and some other prisoners in Tullamore Prison are exercised alone, in accordance with the provisions of Rules 28 and 44, inasmuch as they wear their own clothes, and refuse to exercise with prisoners of their class. What is termed the "silent system" does not exist in any Irish prison, local or convict. The Board further state that none of the prisoners in that gaol under the Crimes Act are treated exceptionally in any way.

MR. J. O'CONNOR: Is it not the fact that the prisoners confined under the operation of the Criminal Law and Procedure Act are not sufficiently numerous to constitute a class of themselves?

*MR. MADDEN: I must ask the hon. Gentleman to give notice of the question.

MR. J. O'CONNOR: Did not that Act create a special class of prisoners?

*MR. MADDEN: I cannot answer the question without notice.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the Attorney General for Ireland whether the following extract from the *Midland Tribune* and the Report of Dr. Moorehead are correct:—

"Dr. Moorehead, J.P., continues to visit the political prisoners in Tullamore Gaol, and finds them in fairly good health, notwithstanding the hardships to which they are subjected, and one of the worst is the system of isolation pursued with regard to them. This is to such an extent that from one end of the week to the other they can never see one another's faces."

"February 21st, 1890, visited the Gaol and Crimes Act prisoners, Rev. Father O'Dywer, Messrs. R. J. Gordon and P. A. M'Hugh. Mr. M'Hugh complained of the system of isolation pursued with regard to him, and demanded as a right to exercise with prisoners of his own class. So far as I understand, the isolation principle in prison discipline is only applied to the worst malefactors in convict prisons, and it is a punishment not contemplated by or implied in the Criminal Law and Procedure (Ireland) Act.

"G. A. Moorehead, J.P."

And whether such isolation shall continue to be applied to prisoners under this Act?

MR. MADDEN: The General Prisons Board report that they have no knowledge of the newspaper statement mentioned in the question. They report that Dr. Moorehead did make in the visitor's book the entry mentioned in the third paragraph. His remarks were duly laid before the Visiting Committee, who declined to interfere with the regulations. The prisoners referred to do not appear to have ever made any complaint to the Visiting Committee, although frequently asked by that body if they had any complaint to make. The Governor reports that these prisoners are in good health, and are not subjected to any hardships. They are merely treated in accordance with the requirements of the ordinary Prison Rules.

THE IRISH LAND LAW ACTS.

MR. MAURICE HEALY (Cork): I beg to ask the Attorney General for Ireland whether the Government have recently been collecting statistics as to the number of holdings in Ireland excluded from the operation of the Land Law Acts; and whether, if so, the information collected will be published?

MR. MADDEN: As already stated by my right hon. Friend the Chief Secretary for Ireland, he had been collecting information relating to agricultural holdings; but not for the purpose indicated in the question.

IRISH FARMERS.

MR. M'CARTAN: I beg to ask the Attorney General for Ireland whether his attention has been called to the report in the *Belfast Northern Whig* of the 10th instant, of a meeting of farmers held at Upper Bellahill, near Carrickfergus; whether he is aware that these farmers purchased their holdings during 1883 and 1884, under the Land Purchase Act of 1881, and were obliged to pay over to the Land Commission one-fourth of the purchase money; and whether, considering the complaints of these farmers, that they had purchased "too soon," and at extremely high prices, he will take into consideration their present difficulties, and the request of the meeting to have refunded to the farmers the one-fourth of the purchase money paid to the Land Commission at the time of purchase?

MR. MADDEN: I must ask the hon. Gentleman to postpone the question.

MR. JOHN SLATTERY.

MR. T. M. HEALY: I beg to ask the Attorney General for Ireland is it true that a letter written from Cork Gaol by Mr. John Slattery, as President of the South of Ireland Pig Buyers' Association, in favour of the proposed Cork, Fermoy, and Wexford Railway, was stopped by the Governor, and its publication disallowed; whether Mr. Slattery, being a bail prisoner, is entitled to publish such letters; and whether Mr. Davitt, Mr. Healy, and other bail prisoners in Richmond Gaol in 1883, were permitted to publish letters on topics far more controversial?

MR. MADDEN: The General Prisons Board report that it is the case that the Governor refused to allow the letter in question to pass out of the prison, it being contrary to practice to allow prisoners, bail or otherwise, to communicate with the Press. Mr. Slattery was, however, allowed to sign a Petition in favour of the proposed railway. I am informed that the publication of letters

referred to in the last paragraph was not with the sanction of the Prison Authorities.

MR. T. M. HEALY: Will the hon. and learned Gentleman refer to *Hansard* and read the statement of the then Chief Secretary (Sir G. Trevelyan), who spoke of a letter so sent to him through the Prisons Board, a letter, I believe, from Mr. Davitt.

*MR. MADDEN: The information furnished me by the Prisons Board is, that the letters in question were not authorised by the Prison Authorities. That is the only information I have on the subject.

MR. M. HEALY: May I ask if there is anything in the Prison Rules preventing the letters being sent?

*MR. MADDEN: I cannot answer that question without looking at the Prison Rules; but the whole subject is obviously a matter of discipline.

Mr. J. O'CONNOR: Are not first-class misdemeanants and bail prisoners allowed to communicate with persons outside the gaol on matters of business?

*MR. MADDEN: I am quite aware that that is so, under certain circumstances; but I cannot agree that writing letters to newspapers should be regarded as the conduct of business.

POLICE AT TIPPERARY.

MR. JOHN O'CONNOR: I beg to ask the Attorney General for Ireland what is the number of police at present stationed in the town of Tipperary, and what is its population; how many houses do they occupy besides their ordinary barracks, and how many of these are the houses of evicted tenants; are the houses occupied by the police in close proximity, or in different parts of the town; and what rent do the authorities pay for the houses, if any, occupied by the police, and under what conditions of tenancy are they held?

*MR. MADDEN: The Constabulary Authorities report that there are, at present, in the town of Tipperary 124 police. The population of the town is about 7,388. The police occupy three houses besides the ordinary barracks. From two of these houses the tenants were evicted. Two of the houses are in close proximity. The other temporary barrack, which is the Town Hall, is in another part of the town. It is proposed to pay £70 a year for one of the houses, and £6 a month for the other. No rent is payable by the police in respect of the Town Hall.

LIVERPOOL PUBLIC HOUSES.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether he is aware that much dissatisfaction has prevailed in Liverpool at the laxity of inspection of public houses and the great abuses that spring from it, and that a great desire has been expressed to enforce more stringent supervision over them; whether he is aware that in several cases, where convictions have been obtained against publicans for allowing drunkenness and harbouring prostitutes, these convictions have been quashed on appeal by the Recorder; whether he is aware that, when hearing an appeal recently where a conviction had been obtained on the prosecution by the police against a publican for harbouring women of bad character, which house was reported by the police to be a well-known resort of such characters, the Recorder, in giving judgment quashing the conviction, is reported to have said—

> "He could be no party to saying that any unfortunate who desired reasonable refreshment could properly be refused. No Act of Parliament had gone as far as that. However, the Statute did not define what period was a reasonable time for allowing refreshment, and, with reference to the particular circumstances of the case, he was unprepared to say that five minutes, 20 minutes, or even half an hour was sufficient or even more than time enough;"

whether the Recorder has correctly stated the law; and whether the Government is aware that this and similar decisions tend to paralyse the action of the police in seeking to preserve decency and order among the low public houses, and causes great dissatisfaction in Liverpool?

*MR. MATTHEWS: I am informed that dissatisfaction has prevailed among certain houses in Liverpool as to an alleged laxity of supervision of public houses, and that, at the last City Sessions, one conviction of supplying drink to a drunken person, and two convictions for harbouring prostitutes were quashed on appeal by the Recorder, who informs me that he did so upon evidence showing

that resort to the houses in question was not for the purpose of prostitution, and was not attended by disorder or indecency. The words quoted are substantially a correct Report of what was said by him. So far as I am able to judge, the Recorder correctly stated the law, which leaves the question of what constitutes a reasonable time for refreshment to the discretion of the magistrate. I am informed that there has been some dissatisfaction in Liverpool at the decisions referred to, but that there are two parties there opposed on this question.

THE ZHOB VALLEY EXPEDITION.

SIR HENRY HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the Under Secretary of State for India whether the Secretary of State and the Government of India will consider the claims of the force which composed the Zhob Valley Expedition, detached from Quetta, under Brigadier General Sir Oriel Tanner, during September to December, 1884, to the Frontier Medal, as a recognition of the valuable services rendered by that force, exposed to much sickness and hardship, in restoring order amongst the tribes of the Zhob Valley, after their defeat at the action of Dowlutzai, and considering that the Frontier Medal has been recently granted to the Hazura and Sikkim Expeditions, and that the warm approval of the Government of India was awarded to the Quetta Field Force?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): In the absence of my right hon. Friend, I beg to say that the Secretary of State can add nothing to the answers which were given to similar questions in this House on the 4th of May, 1885, and the 18th of March and 16th of April, 1886. The services of the troops who took part in the expedition were recognised by the Government of India and by the Secretary of State. No further recognition is considered necessary.

THE FACTORIES ACT AMENDMENT BILL (INDIA).

MR. JAMES MACLEAN (Oldham): I beg to ask the Under Secretary of State for India whether the attention of the India Office has been called to the following clause in the Factories Act Amendment Bill, now before the Viceroy's Legislative Council:—

"Every occupier of a factory in which women and children are employed shall, before the beginning of each month, fix, according to the castes or classes to which such women or children belong or otherwise, not less than four days in each month to be observed as holidays by each woman or child employed in the factory, and shall forthwith give notice of the days so fixed to such officer as the Local Government may from time to time appoint in this behalf;"

whether this clause will leave it open to a millowner to give some of the women and children in his employment holidays at one time and some at another, instead of having the same four fixed holidays in each month for all without distinction; and whether, in the former case, the clause is an evasion of the instructions of Lord Cross in his telegram of 14th May, 1889, in which he said—

"I would provide for four days' holiday or absence per month for women as agreed upon by Bombay millowners, Bombay operatives, and Bombay Government?"

*SIR J. FERGUSSON: I have been requested by my right hon. Friend to answer this question. On the 29th of December last the Government of India telegraphed with reference to the Secretary of State's telegram of the 14th of May—

"After consulting Local Governments and Administrations we are of opinion that the best method of providing four holidays a month for women is to amend Section 89 of the old Act by making it applicable to women as well as to children; and as some holidays are not always appropriate to different castes and classes, to add a proviso permitting the substitution of different days in special cases."

These proposals of the Government of India were approved by the Secretary of State in a telegram of the 14th of January. They provide in the most convenient manner for the four days' holiday per month ordered in the Secretary of State's telegram of the 14th of March.

THE CENTRAL TELEGRAPH OFFICE.

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he will state the number of deaths which occurred among the male clerks at the Central Telegraph Office between 1st January, 1889, and 1st January, 1890; and the number of such clerks who were absent from duty on account of illness during this period?

*MR. RAIKES: Among the male staff at the Central Telegraph Office, consisting of 1,566 persons, the number of deaths during the year 1889 was 11. During the same period the number of sick absentees for periods of one day and upwards was 1,195.

MR. M'CARTAN: I beg to ask the Postmaster General, with regard to the fact that the reasons for punishing the two clerks (Messrs. Hughes and Garland) at the Central Telegraph Office were stated in the written demand for explanation sent to them to be that they were prominent members of a so-called Postal Telegraph Clerks' Association, and that consequently they had laid themselves under "a grave suspicion of meeting to discuss affairs of management"; whether Mr. Garland was suspended on a direct charge to this effect, and which was afterwards orally reduced to a "grave suspicion"; whether punishment of both clerks was unusually severe as compared with the usual punishment for such breaches of discipline; and whether he will make inquiry into the matter, and, if necessary, give directions that officers of the Postal Telegraph Clerks' Association are not to be prejudiced by reason of their connection with that Association?

*MR. RAIKES: Having seen the official Papers connected with the case to which the hon. Member refers, I am able to state that absence from their posts was the ground on which alone the telegraphists in question were punished, although no doubt in the demand for explanation the supposed reason for such absence was referred to. The punishment appears to me to have been by no means unduly severe, and I see no reason for making further inquiry into the matter. I will undertake that telegraphists shall not be prejudiced by reason of their being members of the Association in question; but, at the same time, the House will well understand that the fact of their being members cannot be accepted as an excuse for absenting themselves from their posts.

(4.0.) MR. M'CARTAN: I beg to ask whether there were clerks employed at the Central Telegraph Office several months last year from 2 p.m. to 2 a.m.; whether these were given any meal time, and whether, having regard to the prevalence of consumption and dyspepsia among them and the heavy rate of mortality in the Central Telegraph Office, and considering that they are the only body of officers in the service of the State who do work for eight or more hours continuously, he will give these clerks a fixed and reasonable time for at least one meal?

*MR. RAIKES: During the busy season last year some few telegraphists whose normal duty was from 5 p.m. to 2 a.m. performed overtime in the afternoon from 2 p.m. to 5 p,m., but this was of very rare occurrence. All were provided with tea, and all had an opportunity of partaking of supper; and in their case an exception to the rule was made in so far that those who asked for it were, as far as practicable, allowed an interval for dinner. As regards the mortality, I am happy to be able to state that, as will be seen from my answer of yesterday, in reply to the question of the hon. Member, it is only at the rate of about 7 in 1,000 as compared with about 21 for the rest of the community. I may add that having regard to the exceptional strain to which the telepraphists are subject—especially those who are engaged overtime—I shall always be glad to give them any reasonable facilities for obtaining refreshments.

ARMY PENSIONERS.

COLONEL DAWNAY (York, N.R., Thirsk): I beg to ask the Secretary of State for War whether his attention has been called to the proposal made by the York and other Unions, that the pensions of Army pensioners should be issued monthly instead of quarterly; and what reply, if any, he has made to the proposal?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincoln, Horncastle): My attention has been drawn to this proposal, and I have caused a reply to be made to the Unions. It is too long to be brought into an answer in this House; but its general purport is that while only 1 per cent. of all the pensioners are in Unions, most of the remainder would be injured by a change under which, instead of getting a quarter's pension in advance, they would get only one month's, while they would have to make 12 visits to the Post Office every year instead of four, with the probability of expense involved. This is

irrespective of the great extra labour and expense which would be thrown upon the Public Service. At the same time, I have intimated that I shall be ready to consider specially any case which a Union may report of a pensioner who habitually throws himself upon the rates until the time for drawing his pension arrives, when he discharges himself.

THE BEHRING SEAS FISHERIES.

MR. MUNRO FERGUSON (Leith): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give any information in regard to the progress of negotiations with the United States of America on the subject of the exclusive right of seal fishing in and about the Behring Sea; and whether this House would have an opportunity of discussing the question before any such right of exclusive fishing be conceded by Her Majesty's Government?

*SIR J. FERGUSSON: Negotiations are in progress at Washington, but it would be premature at present to make any statement in regard to them. Her Majesty's Government cannot give any pledge that they will on this occasion depart from the usual practice in regard to negotiating Treaties with foreign countries, but they will not fail to communicate to the House such information as can be given without detriment to the public interests.

DONAGHADEE HARBOUR.

COLONEL WARING (Down, N.): I beg to ask the Secretary to the Treasury whether he is aware that a Memorial was forwarded on 18th January, 1889, to the Commissioners of Public Works in Ireland, signed by Mr. De La Chervis, D.L., J.P., the Lord of the Manor, and 103 other persons, representing that the present state of the Harbour of Donaghadee, County Down, is rendered dangerous to vessels entering it; whether he is aware that, if not actually dangerous, this harbour is at least inaccessable to deeply-laden coasting craft in consequence of the extent to which it is now silted up; whether he will take steps to have such dredging or other works done as will render it effective for the purposes for which it was originally constructed; and whether he has, since 30th July, 1889, when a question was asked on the subject, had any inspection made of this harbour; and, if not, whether he will now order a thorough investigation into the matter?

MR. JACKSON: The statement contained in the first paragraph of the question is correct. I had hoped to visit Donaghadee Harbour when I was in Ireland in the autumn in company with the Chairman of the Board of Works, but the time at my disposal did not allow me to do so. I have instructed the Board of Works to prepare a Report as to the state of the harbour.

EMIGRANTS FROM THE CAUCASUS.

*MR. BRYCE (Aberdeen, S.): I had placed upon the Paper a question to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been called to the statement in the *Times* of Saturday, the 9th instant, that the Turkish Government was making preparations to receive and settle in its territories 40,000 Mahommedans who were about to quit their homes in the Caucasus; whether he can inform the House from what part of the Caucasus these intending emigrants came, and in what part of the Sultan's dominions it is intended to place them; and whether Her Majesty's Government, bearing in mind the lamentable consequences which have followed the intrusion of Circassians in various parts of European and Asiatic Turkey, will represent to the Ottoman Government the impolicy of planting settlements of Mahommedan mountaineers in districts inhabited by an agricultural Christian population? At the request of the right hon. Gentleman I will postpone the question till next week.

GLOVE FIGHTS.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the number of so-called "glove fights" for large stakes, at which the gloves are so thin that the combatants may do each other serious injury, and in some cases reported in the Press have done themselves serious injury; and whether he intends to take any action in the matter?

MR. MATTHEWS: Yes, Sir; my attention has been drawn to one recent glove contest where, judging from newspaper reports, there would appear to have

been a breach of the law, but in which the evidence obtained showed that ordinary boxing gloves had been used for a few minutes only, and that the combatants had carefully avoided doing or receiving any serious injury. The Director of Public Prosecutions, in whose hands I placed the matter, was advised that the evidence in his possession was insufficient to establish a criminal charge. I shall not hesitate to direct proceedings in any case where there is sufficient evidence to afford a reasonable chance of a conviction.

MR. COBB (Warwick, S.E., Rugby): May I ask the right hon. Gentleman whether, in reply to a communication from me, he did not state that the facts of the disgraceful proceedings at the Pelican Club on the 11th of November would be carefully inquired into?

MR. MATTHEWS: The whole answer which I have just given has relation to that case.

MR. COBB: Has the attention of the right hon. Gentleman been called to the fact that a great number of these disgraceful contests have been taking place, especially at Leicester.

MR. MATTHEWS: I am not aware of it.

THE DEATH OF A PRISONER.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department whether, inasmuch as the result of a recent trial at the Liverpool Assizes respecting the killing of William H. Gatcliffe, a prisoner in Strangeways Gaol, Manchester, by breaking six of his ribs and his breast bone, was merely of a negative nature in regard to the single person then accused of the manslaughter, and inasmuch as it is of great importance to ascertain who did kill the said prisoner, and whether there was any miscarriage of justice at the Assize trial, he will institute an impartial public inquiry into the whole matter in order to arrive at some definite conclusion?

MR. MATTHEWS: At the recent trial at the Liverpool Assizes the whole subject of Gatcliffe's death was fully inquired into, and every witness who could throw light on the facts was examined, including some who are no longer available. I cannot say that the result of that trial was wholly satisfactory, but it is not possible now to reverse or go behind the verdict of the jury. I have since had the fullest and most careful inquiry made by the Prison Commissioners and the Prisons Inspector, Captain Wilson, and I am satisfied that nothing can be elicited as to the cause of Gatcliffe's death that was not disclosed to the jury. I have made changes in the staff and administrative arrangements of the prison which will, I trust, prevent the possibility of any such occurrence happening again.

POST-MARKS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he is aware that, in the United States and in Australia, the hour of posting or collection, as well as the date, are legibly stamped upon every envelope by the postal officials, so that the public are able to trace, and at the same time control, the movements of their correspondence without recourse to the authorities; and whether he has any objection to introduce the plan in question in this country?

*MR. RAIKES: I am aware that in the United States and Australia a practice exists (though less general in Australia than in the United States) of marking upon letters the hour of collection in addition to the date; but this does not enable the public to trace the movements of their correspondence without recourse to the authorities. In the United States (from Australia there is no official information) it simply enables the public to ascertain the approximate time of the posting of a letter. At offices through which the letter subsequently passes and at the office of final delivery it is not the practice to insert the hours of arrival and despatch, and this because it is found that the public might draw very inaccurate conclusions therefrom, not allowing for the intervals which often necessarily elapse between the arrival and despatch at the forwarding offices and between the arrival and delivery at the office of destination. The system of post-marks at present in use in this country enables the Department to exercise an adequate check upon the officials concerned, and I am not prepared to adopt the suggestion of the hon. Member.

THE MADRID INDUSTRIAL CONFERENCE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if, having regard to the technical services rendered at the International Industrial Property Conference at Rome in 1886 by the Master Cutler and the Acting Law Clerk of the Cutlers' Company of Hallamshire, they will be allowed to assist at the corporate expense in the deliberations of the Conference about to assemble at Madrid?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Arrangements have already been made for the attendance of Mr. Hughes, the Acting Law Clerk of the Cutlers' Company, at the Conference. No wishes up to the present time have been expressed as to the attendance of the Master Cutler, but should the latter desire to go to Madrid, Her Majesty's Government will be very glad to avail themselves of the information he may be able to afford. As stated by the hon. Member, the expenses of both these gentlemen would be borne by the Cutlers' Company.

GRIEVANCES OF TELEGRAPH CLERKS.

MR. M'CARTAN: I beg to ask the Postmaster General whether, considering the grievances complained of by the telegraph clerks, he will consent to receive a deputation from that body to hear their case stated, and with the view to have redressed any grievances which may be found to exist?

*MR. RAIKES: The hon. Member must be aware that if any body of officers wish to ask me to receive a deputation their proper course is to make their application to me in the prescribed manner, and not by means of a question addressed to me in this House. I think it is very much to be regretted that any officers in the service of the State should go out of their way to suggest any feeling of antagonism between themselves and their superior officers, and I must be understood to reserve to myself full discretion as to the course which I may consider it my duty to adopt in dealing with administrative questions affecting the services under my control.

MR. M'CARTAN: Do I understand that because this request is made by a Member of Parliament the right hon. Gentleman refuses to receive a deputation?

*MR. RAIKES: No, I did not say so. I said that when the request comes before me in a regular manner will be the time to exercise a discretion in regard to it.

MR. M'CARTAN: Does the right hon. Gentleman refuse to say now whether or not he will refuse a deputation?

*MR. C. GRAHAM (Lanark, N.W.): Will the right hon. Gentleman receive a deputation from these persons who, whether rightly or wrongly, conceive that they have a grievance?

*MR. RAIKES: I am quite prepared to consider any application when it is made in a proper manner to the Department, but I must respectfully decline to answer improper questions made through Members of this House.

MR. O'HANLON (Cavan, E.): Will the right hon. Gentleman say how many flights of stairs postmen have to travel up and down during the day?

*MR. SPEAKER: Order, order!

RABBIT COURSING.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Secretary of State for the Home Department whether he has received the Report he asked for from the chief constable, with reference to the alleged cruelties at a "rabbit coursing" meeting at the Crown Inn, Saltford, on 3rd February; what is the substance of the Report; and whether it confirms the account of the cruelties as related in the *Bath Chronicle*?

MR. MATTHEWS: Yes, Sir; I have received a Report from the chief constable, who informs me that, in the judgment of a sergeant of police, a reliable man, who was present on the occasion, the report in the *Bath Chronicle* exaggerates what actually took place. The practice at the meeting was to let loose a rabbit and then two dogs. As soon as the dogs had both caught hold of the rabbit, it was taken from them by a man employed for that purpose. The report of the sergeant does not bear out the other allegations of the newspaper report.

THE POSTAL SERVICE.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the Postmaster General whether it is true that the Lords of the Treasury have recently

decided to increase the wages of men entering the postal service from 16s. to 18s. per week; and whether the Treasury Minute relating to this concession confines its operation to one class of men, and states that the Postmaster General is to "oppose all further claims for increase of wages to other classes of postmen;" and, if so, whether he can state on what grounds the advance is to be refused to other classes of postmen?

*MR. RAIKES: It is quite true that, with the concurrence of the Lords of the Treasury, the initial wages of the second class of London postmen have been advanced from 16s. to 18s. a week. It is a fact that the Lords of the Treasury did at the same time indicate their opinion that any further claim for increase of wages to other classes of postmen could not be entertained. Their Lordships regard the wages of the first class, with the contingent advantages of good conduct stripes, uniform, sick pay during absence, gratuitous medical attendance, and pensions, as affording adequate remuneration.

MR. FENWICK: The right hon. Gentleman has not answered the last part of the question; namely, on what grounds the advance is refused to other classes of postmen?

*MR. RAIKES: I think I did answer it. I stated that the wages of the other class carried with them certain contingent advantages in the shape of medical attendance and pensions, which are regarded by the Treasury as affording adequate remuneration.

*MR. C. GRAHAM: Why is it that the provision made for workmen in the employment of the Post Office is essentially different from that of any other body of workmen in the Kingdom.

[No answer was given.]

CUSTOMS DUTIES.

Mr. CAUSTON (Southwark, W.): I beg to ask the Chancellor of the Exchequer whether he will grant a Return of the cost of collecting the duties realised during the year ending 31st March, 1889, on currants, figs, prunes, raisins, plums, and prunellos?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member must realise that the Return he asks for could necessarily have but little value. The collection of the duties on dried fruits is so mixed up with other duties devolving on Customs officers, that an estimate of its separate cost could only be hypothetical.

SILVER COINS.

MR. CAUSTON: I beg to ask the Chancellor of the Exchequer why the value is marked upon some silver coins and not on others; whether his attention has been drawn to the great inconvenience caused to the public through the similarity of the new four shilling pieces to the five-shilling pieces; and what is the objection to putting the value on all silver coins?

MR. GOSCHEN: On none of the coins of the new designs issued in 1887 was there any indication of their value except on the threepence. In former reigns none of the gold or silver coins except the threepence bore any indication of their value, and it was proposed in 1887 to revert to this practice; but representations were made as to the similarity of the reverse design of the sixpence to that of the half-sovereign, and in November, 1887, the former design, with the words "Sixpence," was resumed. There can hardly be said to be any similarity between the double florin and the crown. ["Oh!"] Well, I think most people know the difference, as the former has for a reverse design four shields arranged crosswise, like the florin, and the latter the St. George and dragon.

MR. BRADLAUGH (Northampton): Why is not the old custom followed of marking the shilling with the words "One Shilling?"

MR. GOSCHEN: The change was made under the Act of 1887.

SEWAGE IN THE THAMES.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of the Local Government Board whether he is aware that at present 1,000 tons of sewage sludge are discharged between Maplin Light, Knob Buoy, and Long Sand, daily; that this quantity will shortly be increased to 4,000 tons; and whether the Department will protect the town of Southend against this dangerous nuisance?

*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): The Local Government Board have no information as to the amount of sewage sludge at present discharged between the points referred to; but they are informed by the London County Council that there is no immediate prospect of the daily discharge of such a quantity as that mentioned in the question. The Board have no power to intervene with a view to the protection of Southend in this matter, but they understand that the County Council have referred the subject of the treatment and disposal of the sewage to Sir Benjamin Baker and the Chief Engineer of the Council, whose Report is expected at an early date.

POST OFFICE—MEDICAL CERTIFICATES.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Postmaster General whether the medical officer keeps a set of indiarubber stamps with which he stamps the medical certificates sent in from private practitioners, thereby limiting the sick leave certified for by the doctors without making any professional inquiry into the case?

*MR. RAIKES: The indiarubber stamps are used to save time which would otherwise be occupied in writing. The object of limiting the period covered by the certificates, or rather of requiring the absentee to report himself before the period has expired is, I understand, that the Medical Officer who is responsible to the Department may make himself personally acquainted with the particulars of the case; and not because there is any disposition to impugn the *bonâ fides* of the certificate.

THE LABOUR CONFERENCE.

MR. HOWARD VINCENT: I beg to ask the Under Secretary of State for Foreign Affairs if he is in a position to state who will be the delegates of the United Kingdom at the Labour Conference convened by His Imperial Majesty the German Emperor; what is the nature of their general instructions; and if they will be authorised to advocate the adaptation of the hours of continental labour in mines and upon Sundays to the standard prevailing by custom in this country, and also to urge the adoption of factory legislation analogous to that in force in the United Kingdom?

*MR. C. GRAHAM: Before the right hon. Gentleman answers that question, may I ask if he is in the possession of any information which warrants the assumption that the hours of labour in continental mines are any shorter than those in the English and Scottish mines?

*SIR J. FERGUSSON: If the hon. Member for Lanark wishes to put a further question I must ask him to give notice of it. In reply to the question of the hon. Member for Sheffield (Mr. H. Vincent), I have to say that Her Majesty will be represented by four Plenipotentiaries: the right hon. Sir John Eldon Gorst, Q.C., M.P.; Mr. Charles Stewart Scott, C.B., Her Majesty's Minister at Berne; Sir William Henry Houldsworth, Bart., M.P., and Mr. David Dale (of Sir Joseph Pease and Co.). The following gentlemen will be expert delegates:—Mr. Frederick H. Whymper, one of Her Majesty's Superintending Inspectors of Factories; Mr. Thomas Burt, M.P.; Mr. John Burnett, Labour Correspondent of the Board of Trade; and Mr. Birtwistle, Secretary to the United Weavers' Association. The nature of their instructions is in conformity with the terms of the reply of Her Majesty's Government to the German Government. It is not usual to state the particulars.

*MR. C. GRAHAM: There is one body of thought among the working classes which is practically unrepresented. While I admit that everyone reposed great confidence in Mr. Burt, the section I allude to as being unrepresented is the class which has confidence in Mr. John Burns; and I wish to ask whether there is still time to consider the propriety of nominating Mr. Burns as one of the expert delegates?

*SIR J. FERGUSSON: It is impossible that all schools of thought or that all interests should be separately represented; but if Her Majesty's Plenipotentiaries find it necessary to ask for further expert assistance, I have no doubt their recommendations will be complied with.

COUNTS OUT.

*MR. LEAKE (Lancashire, S.E., Radcliffe): I beg to ask the First Lord of the Treasury whether, considering the increasing difficulty of securing a quorum

of the House during the dinner hour, he will propose a modification of the Rules of Procedure providing for the adjournment of the House on Monday, Tuesday, Thursday, and Friday from 7 p.m. to 9 p.m., as unanimously recommended by the Select Committee on Procedure, 1886, or from 7.30 p.m. to 9.30 p.m., as would probably be more convenient to Members, and more conducive to the effective conduct of the business of the House? May I also be permitted to supplement my question by asking whether, in case a new Rule affecting the adjournment should be carried, it would necessarily involve the extension of the business of the House from midnight till 1 in the morning, as has been stated in a morning paper; and whether, in case such an extension should be necessary, it could not be met by meeting earlier?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The hon. Member has himself almost answered the question on the Paper by the further question which he has thought right to ask. It will be in the recollection of the House that in 1888 the proposal that there should be an adjournment during the dinner hour was very fully considered and debated. The Government put forward the suggestion that there should be an interval between 8 and 9 o'clock; but the House indicated, by an overwhelming majority, their desire that the present system should be established. I am not ready to admit that there is any real difficulty in securing a quorum of Members when there is business of importance to be discussed. There has been no occasion during the present Session when a much larger number of Members than suffice to form a quorum have not been within the precincts of the House during the dinner hours. On the occasion of the count out a week ago there were at the time 115 Members in the dining room. I mention this to indicate that on such occasions when Members are not in the House they are taking the rest and refreshment which are necessary to all of us. Having regard to the pressure of public business, I should not be justified in asking the House to adjourn for two hours in the evening unless I proposed at the same time that we should meet earlier or sit later, and that is a change which I could not recommend. My own impression is that the two hours to which the hon. Member refers in his question are hours in which important and valuable work is often done, although they may not be hours when speeches can be made to a large audience.

*MR. LEAKE: Is it not a fact that our experience since 1888 points in the direction that hon. Members do not care to attend the deliberations of the House during those two hours, and is it not expected in a deliberate Assembly——

*MR SPEAKER: Order, order!

THE SOUTH SHIELDS MARINE BOARD.

MR. BRADLAUGH (Northampton): I beg to ask the President of the Board of Trade whether the Board invited the South Shields Branch of the Amalgamated Sailors' and Firemen's Union, having 4,916 members, to nominate two members for the Local Marine Board; whether such nomination was made; whether it has been disregarded; and if he will state the reasons; and whether he can give the name of the sailor actually appointed to the Local Board, and state whether he is a member of the South Shields Branch, and what are the grounds of his appointment?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): The Board of Trade did not invite the South Shields Branch of the Amalgamated Sailors' and Firemen's Union to nominate two members for the Local Marine Board of South Shields. That branch of the Union did, however, suggest the names of two of their members; and I may add that the Seamen's and Firemen's Union sent in names for a great number of ports, for some, indeed, at which there are no Local Marine Boards. I decided to appoint Mr. John Renny, who was recommended to me as an able seaman with long service in the Naval Reserve. A further ground for his appointment was that he had recently left off going to sea, and that his present occupation, namely, masting and rigging, would enable him to reside at the port and attend the meetings regularly. I am not aware whether he is a member of the South Shields Branch of the Union or of any other Seamen's Society.

ALLOTMENTS.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the hon. Member for Penrith whether he is aware that, under the Enclosure Award of that parish in 1787, four acres in Upper Brailes, Warwickshire, were allotted to the vicar, churchwardens, and overseers, and their successors, to appropriate the same to raise fuel for the use of the honest poor of the township; and that this same land has been let to an adjacent farmer in defiance of the provisions of the Commons Act, 1876, which enacts that it

"Shall not be lawful to use such lands for any other purpose than that declared, in the award,"

save and except for field gardens; whether complaints have reached the Charity Commissioners that the said vicar, churchwardens, and overseers have declined to allot the above lands under the Allotments Extension Act, 1882, but persist in such illegal letting, and to evade terminating the same sent their resignations as trustees of the above fuel lands to the Charity Commissioners on quarter day; whether the trusteeship of the fuel lands having been made a duty attached to their offices, the said vicar, churchwardens, and overseers can resign the same without resigning their respective positions as vicar, churchwarden, and overseer; and whether the Charity Commissioners propose to take action to enforce the Law?

MR. J. W. LOWTHER (Cumberland, Penrith): The land in question is held upon the trusts and has been let in the manner mentioned. Complaints have been made from time to time to the Commissioners by certain labourers that the land in Upper Brailes has not been set out in allotments. On July 10, 1889, the Commissioners were informed by the trustees that they refused to do this, and that they sent in their resignation of office. The trustees cannot resign their office except under the authority of a scheme to be established under Section 19 of the Commons Act, 1876. Proceedings with a view to the establishment of such a scheme are in progress.

THE COURT OF APPEAL IN NATAL.

MR. ATHERLEY-JONES (Durham, N.W.): I beg to ask the Under Secretary of State for the Colonies whether the attention of Her Majesty's Government has been called to the fact that, in the case "Supreme Chief *v.* Umtshiwa," heard before the Native High Court of Appeal in Natal on 3rd January, when a sentence passed by the Judge of the Native High Court, and confirmed by the Secretary for Native Affairs, being appealed against, those two functionaries sat in the Court of Appeal with the Judge of the Supreme Court, and dismissed the appeal, notwithstanding the protest of the superior Judge as to the illegality of the sentence; and whether the Government will take steps to alter the arrangement by which the majority in an Appeal Court is composed of officials who have already given judgment against the appellant?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Secretary of State has seen reports of this case in the local newspapers. The facts appear to be as follows:—The sentence was originally passed by an "administrator of native law," affirmed on appeal to the native High Court and again affirmed by the Court of Appeal. It had not been confirmed by the Secretary for Native Affairs, who merely refused to quash it summarily on the ground of "manifest hardship" by executive action under Section 3 of Law 44 of 1887; and there is nothing to show that the latter officer had formed any opinion on the merits of the case before he heard it argued in the Court of Appeal. Under all the circumstances, the Secretary of State does not see that this case affords *primâ facie* any grounds for altering the constitution of the Court of Appeal.

POINT OF ORDER—MOTIONS ON GOING INTO COMMITTEE OF SUPPLY

MR. A. O'CONNOR (Donegal, E.): I desire to ask your ruling, Sir, on a point of order arising out of the appearance on the Paper of a notice in the name of the hon. Gentleman the Member for Barrow (Mr. Caine). The notice was on the Paper yesterday. The hon. Member had an opportunity of moving his Amendment had he chosen to avail himself of it; but he did not do so. Under the circumstances, I desire to know whether it

is competent for the hon. Member to move the Amendment to-day?

*MR. SPEAKER: It is usually the case that Motions standing in the names of Members on the Estimates are carried on to a future day. They are taken off if the Members putting them down desire it.

MR. A. O'CONNOR: The question is, whether the Motion can be made to-day?

*MR. SPEAKER: There is nothing out of order. If the other business is disposed of, and the Question is that I leave the Chair, it will be competent for the hon. Member for Barrow to move the Motion which stands in his name.

MR. A. O'CONNOR: While you are in the Chair?

*MR. SPEAKER: Yes. Of course, the right of private Members is exhausted on first going into Committee on the Army Estimates; but on a Friday it is competent for the hon. Member to move the Motion on the Question that I leave the Chair. The term Army Estimates is misleading. "On going into Committee of Supply" is more regular; indeed, "Army Estimates" ought not to be there.

REPORTS IN NEWSPAPERS.

MR. H. S. WRIGHT (Nottingham, S.): I desire to ask the hon. Member for East Nottingham (Mr. A. Morley) a question of which I have given him private notice, namely, whether he is correctly reported as having said at a public meeting on Wednesday night—

"That they (the Government) had been so accustomed to the odious and hateful system of jury packing in Ireland, that 'they even packed the tribunal before which Mr. Parnell was to be tried with Judges of their own selection."

MR. T. M. HEALY (Longford, N.): I rise to order, Sir. I wish to ask your ruling on this very important matter. Will it not be possible, if this question is allowed, for any hon. Member to put a question to any other hon. Member as to whether he is correctly reported in the case of any speech he may have made?

*MR. SPEAKER: I think there should be a limitation on questions of this kind, The practice would be inconvenient, and might give rise to a series of questions of a similar nature.

MR. GARDINER, R.M.

DR. TANNER (Cork Co., Mid): I beg to ask the Attorney General for Ireland the following question of which I have given him private notice:—Whether his attention has been directed to the disgraceful action of Mr. Gardiner, R.M., on Wednesday last, at the Cork police office, in refusing to dismiss a number of cases in which the defendants were irregularly sued for rates, and granting decrees in the face of admitted irregularities, and in the absence both of defendants and plaintiffs; whether Gardiner acted on instructions from the Castle; and, if not, whether he will be remonstrated with, if not removed from his responsible position, and thus have a further prostitution of justice prevented.

MR. MADDEN: I only received private notice of the question as I came into the House. If the hon. Member will put the question on the Paper, I will endeavour to answer it.

DR. TANNER: I shall be most happy to give the right hon. and learned Gentleman any information I can afford him. I only desire to get an answer from him before he ascends the Bench.

MERCHANDISE MARKS ACT, 1887.

Ordered, That the Report and Minutes of Evidence taken before the Select Committee on Merchandise Marks, in Session 1887, be referred to the Select Committee on Merchandise Marks Act, 1887.—(*Baron Henry de Worms.*)

SOUTH INDIAN RAILWAY PURCHASE.

Committee to consider of authorising the Secretary of State in Council of India to raise money in the United Kingdom, on the securities of the Revenues of India, for the purchase of the South Indian Railway, and for the discharge and redemption of debentures thereon (Queen's Recommendation signified), upon Monday next.

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENTARY SESSIONS.

*(4.45.) SIR G. TREVELYAN (Glasgow, Bridgeton): When a Member rises to move a Resolution on Tuesday or

Friday he generally makes two promises, neither of which is usually fulfilled. The first is that the Resolution is not of a Party character, and the next that he will not make a long speech. In the present case, however, the Resolution is certainly not of a Party character. In former days Mr. Disraeli and Lord John Russell, to call them by their House of Commons' names, in dealing with a House of Commons question, took the same side in advocating a change in the time of the Session. I am certain from what has been said to me that there are many Gentlemen opposite who are friends of this Motion, as I hope the Division will prove. On the other hand, I know that there are opponents of it on my own side of the House; and I think they sit in perhaps more than ordinary proportion on the Bench on which I have the honour to sit. On the point of brevity of speech I will say that a long speech on such a subject would be almost impertinent. Every Member has probably made up his mind, and the point is one on which he has long experience to guide him. No doubt, too, every Member is influenced to some extent by the arrangements of his domestic life, which are known only to himself. I earnestly hope that each man will vote according to his own convictions, and that there may be such a clear majority, on one side or the other, as will show what the wish of the House really is. The present arrangement of the Session is a survival from a distant time. At one time a violent but irresistible pressure was put upon Members to conclude business by the approach of the 12th of August. Let us take the long Parliament which sat from 1859 to 1865. In 1859 the House sat till August 13; in 1860, till August 28; in 1861, till August 6; in 1862, till August 7. In 1863 the House was prorogued as early as July 28; in 1864, on July 29; and in 1865, on July 6. That, however, was before a General Election. So that, taking the average, and leaving out 1865, during that famous and long period the House rose at the end of the first week in August. This system worked then, but it does not work now. Take the present Parliament. In 1886 the House sat from the 12th of January to the 25th of June, and from the 6th of August to the 25th of September, and in the interval the country had the refreshment of a General Election. In 1887 the House rose on the 16th of September; in 1888 it sat until the 13th of August, and then sat again from the 6th of November to the 24th of December; and in 1889, when the House fondly hoped for a short Session, we did not rise until the 30th of August. No man in this Parliament who does his full duty as a Member of Parliament has ever passed more than three days in the country during the summer since Parliament sat; and no man who intends to take up public life as his calling can look forward to any other prospect than that of not seeing one single day of summer till his time of work is passed. Is that a prospect which hon. Members are prepared to face? There is no one circumstance which so deleteriously affects the health and strength of Members as the manner in which Members are kept at work, which, as the Session advances gets harder and harder till summer is past and gone. Ministers may hear with sympathy the description of public life by one who knew the House of Commons very well, and who was a Minister himself—

> "There is little reason, in our opinion, to envy any of those who are engaged in a pursuit from which at most they can only expect that by relinquishing liberal studies and social pleasures, by passing nights without sleep, and summers without one glimpse of nature, they may attain that laborious, that invidious, that closely-watched slavery which is mocked with the name of power."

In recent days one of these grievances has been removed, and I earnestly hope that the same Government and the same Parliament which has had the good sense and the resolution to do away with sittings at unholy hours may likewise have the resolution to regulate the season at which Parliament shall sit; and then the life of a Member of Parliament, and even of a Minister, though it will be arduous, will be led under human conditions. In old days the proposal on this subject made by the hon. Member for Walsall (Sir C. Forster)—one of the many unpretentious and disinterested services which he has been in the habit of doing to the House—was killed by a speech from Lord Palmerston. That noble Lord, speaking in 1857, said that in winter the House was full of

coughing; the Members were kept from town by bronchitis and influenza, and those who attended the House always complained of draughts. And so he ran through a number of arguments, some of which were droll enough, about the dangers of doing public work in winter. But how many who sit in the House now do not perform public work in the winter? What Member is there who will ever have a week day evening to himself from October to February if he accepts every invitation sent to him? If he is a county Member invitations come to him from 50 villages, each with a growing thirst for rhetoric; and if he is a man of eminence in his Party, there is hardly one of the 570 constituencies in the United Kingdom which is not always complaining that it is six months or even three months since they had a Cabinet Minister or an ex-Cabinet Minister to speak to them. A metropolitan Member opposite has reminded me how a supporter of the Government fags away from June to July and August, and how, at the end of September, as a great favour, he is allowed to go away before the last stage of the Appropriation Bill. The Member goes away, and his constituents come back from the seaside or the mountains brimming over with public spirit, all agog with public speaking. They write to him that they want him to come down and give an account of his stewardship, and tell them how often and how straight he has voted. He meanwhile, jaded and worn, feels fit for nothing less than for a course of public speaking. As regards Members who have gardens of their own in the country, it is the greatest sacrifice men can possibly pay to public life to forego the pleasures of the garden year after year. I think Cabinet Ministers and ex-Cabinet Ministers will feel the truth of some beautiful lines which I read the other day by the poet Marvell:—

> "How vainly men themselves amaze
> To win the palm, the oak, the bays,
> And their incessant labours see
> Crowned from some single herb or tree,
> While all the flowers and trees do close
> To weave the garlands of repose."

Those who love the woods can never enjoy what the same poet describes as the highest of pleasures—

> "Annihilating all that's made,
> To a green thought in a green shade."

But it is not only a question of those who have had beautiful gardens of their own. A much larger class of Members are affected—Members who have only one home, and that home in town. Speaking with an experience of twenty years of Parliamentary life, passed under those circumstances, I say there are only two ways in which Members so situated can get the country air—they either take a house in the country or go abroad. If they take a house in the country, they can only enjoy it like schoolboys playing truant. On the other hand, if they resort to foreign travel, health and fresh air such as can be obtained in the Tyrol and in Switzerland cannot be enjoyed after the time at which Parliament now rises, and the only prospect of foreign travel which most hon. Members enjoy towards the end of the Session is a visit for a course of German baths—a visit which they would never be under the necessity of paying if they had not spent the best months of the best years of their lives in a hot Parliamentary Lobby. I feel very much for two other classes of men. One the officers of the House, and the other a class of men to whom we owe so much—the staffs of the great newspapers, who are as much in the service of the House as if their salaries were on the Estimates. These men cannot get any holiday at all from arduous labours until the period for making holiday has passed. Their claim on the House is quite a recognisable claim, and I think their case is very much the same as that of hon. Members. I know very well what are the secret reasons which will prevent a great number of hon. Gentlemen from voting for this proposal. First comes the question of sport; but most of the sports which keep men strong and make them fit for work, and most of the manly and vigorous shooting, will be over by the time the period has elapsed which I propose to take for a holiday. Grouse shooting and partridge shooting are practically over, and the only thing that remains is a class of sport with which I have not much sympathy, namely, shooting in highly preserved pheasant covers. This is a class of shooting which, in many parts of the country, though I do not say in all, is highly

demoralising and full of temptation to a life of crime. While I can admire skill in shooting, I do not think it is a good thing to encourage a class of semi-professional shots who go from country house to country house during the winter, taking a pride in killing their share of 3,000 or 4,000 birds a week during the season. Whatever we do we shall have the Christmas holidays, and I think the best sport a man can have is with the pheasants, and such woodcocks as Providence sends him then, which he can shoot in company with his boys and neighbours. Upon hunting I do not feel competent to speak, but it occurs to me that we have but few hard hunting-men amongst us. In the first place, there are a great many hunting-men who have the same feeling about the summer as those who are not hunting-men; and in the next place I think we exaggerate the number of hard hunting-men. A great many of these, I think, are men who used to hunt and would like to hunt again, but there are very few hard-working Members of Parliament who can find the time and means which are required, in order to lay claim to the title of hard hunting-men. There remains one thing that governs men's opinions very much, and with which I have no sympathy at all, though I have sympathy with all classes of real sport, I mean considerations of society. People say you must not wind up the Session because society continues its meetings until the beginning of August. My answer is simply this, that if a man likes to spend his summer holidays in going to four or five evening parties a-night, in the name of goodness let him do so, and he will do it with a clear conscience if Parliament has ceased to sit. But let him not interfere with us, who prefer to spend July in fishing and sailing—in driving over Alpine passes, and walking on Alpine pastures. The fact is that much of this talk about sport and about social arrangements is a thing of the past. Parliament is a business assembly, and ought not any longer to make its sittings subordinate to considerations of fashion. We know very well that a certain quantity of time is absolutely demanded by the business of the House. I put it at seven full months from year to year, not counting the Easter and Whitsuntide holidays. We have only a certain amount of holiday, and Parliament would do well to take that holiday at the most favourable time. If Parliament, by a majority, expresses its desire to take holiday in some part of the summer—and, after all, that is a very modest request—the arrangements may be left to the Government. If we rose at the beginning of July we should save the whole of the Whitsuntide holidays, because no one would dream that Parliament should separate in the beginning of June for a holiday if it was to separate finally in the beginning of July. I believe that that would be the wiser arrangement, and that in most cases the business of Parliament could be conducted between the beginning of January and the beginning of July. It may occasionally happen that we may have to return to the habits of our forefathers and meet about the 18th of November, and then rise for a month at Christmas; but if we do that we shall have time before the end of June to get through the business of Parliament. All this Resolution asks Parliament to do is to say that we should not sit the whole of the summer. But this is a vital point—we must fix a date. In 1888 there was a great deal of business before the House—the Local Government Bill had to be passed; Supply was terribly in arrear; and there were three great Bills, which, having gone through the Standing Committees upstairs, the Government were determined to pass in the course of the Session. Members, especially those who supported the Government, were exhausted by two long summer Sessions, and they were anxious to get away during the winter, but the Government took a course which did not fulfil the wishes of the House. Instead of naming a date, and saying that they would go on up to that date, and appealing to the honour and common sense of Members to get through the work by that time, the Government named a quantity of business which every one felt was more than they could get through, so the House worked sullenly and despairingly, and sat until the 15th of August, and we had a winter Session afterwards. It is not worth having a winter Session unless we are sure to get a good slice of the summer. Let us deal with this question with the same

common sense which we should apply to our own business affairs. Surely Government and Parliament are capable of saying how many months should be given to the discharge of business and how many to rest or to political work in the country. Business was made for men, not men for business. It is not at all to the credit of Parliament that we cannot determine to do our work at a reasonable time, at a reasonable rate, and at a reasonable period of the year. I would not have brought forward this Motion if I thought its effect would be to sacrifice public efficiency to private comfort; but the reasons on the side of public efficiency are as strong as on the side of private convenience and health. On the 10th of July, 1888, the present leader of the House said he had witnessed in this House the weariness which accompanied prolonged sittings during the months of August and September, and he had come to the conclusion that the business had not always been conducted with the greatest possible effect or the best possible regard to the duties they had to discharge. Everyone knows that at the fag end of the Session the work is scamped; Bills are hurried through without proper discussion. There is no time at which the tempers of Members are so tried, or at which there is so much friction. The opinion of those who have been Chairmen of Committees would be worth hearing on that point. It is a mistake to suppose that good work is done in a thin House. It is when the force of the collective public opinion of the full House is brought to bear on it, that the work is best done. For instance, the Redistribution Bill of 1884 was through Committee in June, and the Corrupt Practices Bill in July, and those were Bills which were thoroughly and practically discussed. Let hon. Members compare the way those Bills were treated with the tumult which surrounded the discussions on the Tithe Bill of last year—and here I speak simply of the difficulty under which the discussions on that Bill were carried on owing to the late period of the Session. Some hon. Gentlemen opposite have said to me in the Lobbies that it would be a very bad thing for Ministers not to get their October and November free for preparing Bills and not to have a long interval before February. That shows how we are bound by conventional considerations. If we use our imaginations and put ourselves in the position of those who left off in the beginning of July we should see that Ministers would have had two months during which they might take holiday and come as fresh to the performance of their work as now in October and November. The objections would fall to pieces if only the thing I propose were done. It is the practice of no other Legislature to continue its sittings through the whole of the summer months. The *Revue des deux Mondes*, writing on the 15th August last year, says—

> "It is no longer the season for Parliaments Except England, where the Session still goes on, almost all countries have already seen their Assemblies and Ministers fly before a summer which is not propitious to Parliamentary strife and turmoil."

I do not wish hon. Members to take example from foreign countries; but I hope they will use their own good sense and obey their own experience and inclinations. I beg hon. Members when they vote to-night to think, not how the vote will look upon the Notice Paper to-morrow, but how it will appear to them when they look back to it on a hot evening in the middle of July, and when they are going to sit certainly for six weeks, and probably for two months, longer. The only possible value of an abstract Resolution is to obtain the genuine and unbiased opinion of the House, and, indeed, I think the House ought to be oftener allowed to vote without Party pressure such Resolutions. If hon. Members vote to-night as they really think, I cannot but hope that there will be a very strong expression of opinion in favour of a change against which on personal grounds there is very little to be said, and against which on public grounds I believe there is nothing to be said whatsoever.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words—

> "In the opinion of this House, Parliament ought to rise at the beginning of July, and that the time required for the due transaction of public business should be provided by Parliament sitting during a longer period of the winter than is customary at present,"—(*Sir G. Trevelyan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(5.15.) SIR CHARLES FORSTER (Walsall): I rise to second the Resolution, having myself brought the subject forward in the Sessions of 1859 and 1873. The Motion which I then moved differed somewhat in form from the present one. I invited the House to take the more direct course of an Address to the Crown in favour of reverting to the practice of the Georgian period, when the House, meeting in November, rose on the King's birthday, the 4th of June, whereas my right hon. Friend limits himself to the general proposition that the time necessary for the transaction of business should be provided for by a longer sitting in winter than is now customary; but both Motions are practically the same, and would have the same result. If on meeting in November we could only shorten the debate on the Address, and proceed at once with the real business of the Session, there would be no reason against our rising at the date indicated in my right hon. Friend's Motion. The fact is that at the time of the first Reform Act Parliament got into a bad groove, from which it is difficult to extricate ourselves without a determined effort. I should be sorry to mar the enjoyments of any of my Colleagues, but the business of the country has the first claim on our attention, and hon. Members who take certain duties upon themselves must not complain of the small sacrifice which the proposed change might entail. Under the present system, before you, Mr. Speaker, are released from the Chair the glory of the summer has departed, and the "last rose" alone remains. It was in 1859 that I first introduced this subject, and now, in seconding my right hon. Friend's Motion, I feel brought back, as it were, to the early years of my Parliamentary career and to the days of youth and vigour. Lord Palmerston then succeeded in getting the Motion negatived, but in spite of that adverse decision the question continued to grow, and the Select Committee of 1871 on the Business of the House, of which I was a Member, reported in its favour. I may, perhaps, secure some support and favour for the present Motion if I remind hon. Gentlemen opposite that Lord Beaconsfield was strongly in favour of the proposed change, which will not only promote the health and comfort of hon. Members, but will also insure a more satisfactory despatch of the work of the Session.

*(5.23.) MR. MARJORIBANKS (Berwickshire): I am sorry to have to differ from a right hon. Colleague, still, there are occasions when you feel you may differ; and on the present occasion I differ most radically from my right hon. Friend, who rested his argument in favour of the change entirely on the personal convenience of Members, of the officers of the House, and of the reporters. The right hon. Gentleman did not adduce a single argument to prove that the business of the House and of the nation would be better or more expeditiously transacted than it is at present. My right hon. Friend said that the time at present available for Members to travel is very unsuitable, and that if they were free in July and August they would be able to visit the Alps and Norway, and the North Pole perhaps. But what about the British Empire? The first duty of a Member of Parliament is to know something about this great Empire, of which we are all so proud, and the months during which Parliament is not now in Session are those in which hon. Gentlemen can most conveniently visit our great colonies and dependencies. I do not suppose that anyone will suggest the summer is the best time to visit India for instance. My right hon. Friend used a rather infelicitous expression when he alluded to the "secret reasons" of Members for objecting to this proposal and to their proclivities towards sport. In regard to this question of the sittings of the House, I think we may leave sport altogether out of sight, because Members who delight in sport will get it whether the House is sitting or whether it is not. With regard to the right hon. Gentleman's remarks on battue cover shooting, I may observe that I am rather inclined to think that more birds are killed by a single gun in August than in any other month. I might say the same with regard to other birds and beasts of the field during the autumn months. I think we may leave the hunting question altogether out of this debate, and I therefore pass on to the society

question. I will ask hon. Members whether, as a matter of fact, society in London is not practically over by the 12th July, and I should like to know what is going on between that date and the end of July. The society argument I hold to be a perfectly futile one. My right hon. Friend said that the proper length of time of a Parliamentary Session was seven months. In that I agree with him, and I would point out that the seven months can be obtained from January to July, and that, therefore, there is no necessity for an Autumn Session at all. The right hon. Gentleman also said it was necessary to fix a date for the termination of the Session. He could fix it on any day about the middle of July if the House met in January, although I venture to believe that if a date were fixed the Government would in the very first year find it absolutely necessary to prolong the Session at least a month after that date. A great point had been made of the fact that, under the existing Rules, the House has to rise every night at 12 o'clock, and that there are no late sittings; but only last week the House sat twice until past 1 o'clock, and since the Session opened we have made exception to the 12 o'clock Rule at least once a week on the average, and several important matters have been dealt with during the extended time. It should also be borne in mind that the House now meets an hour earlier than it used to do, and that fact should be taken into consideration. I maintain that it is of immense advantage, from both a public and a private point of view, that hon. Members should have their holidays, or their cessation from Parliamentary work, in a lump. The arrangement is convenient to private Members, and it must certainly be so to Ministers, not only that they may have a substantial release from the worry and anxiety of their duties in the House, and an opportunity to recruit their strength, but that they may have sufficient time to prepare work for the coming Session. In my humble opinion, both on public and private grounds it is expedient that the Motion of the right hon. Gentleman should be rejected by the House.

(5.35.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I should like to say a few words in support of the Resolution which has been proposed by the right hon. Gentleman opposite. I am strongly in favour of it, because I believe that were it carried there would be a great saving of health and strength; for it appears to me that much more health is wasted during one hot summer's week than would be wasted were we kept here a much longer period in the winter. I do not know that I should have intruded on this debate—for I should have preferred to have left it to those who have more Parliamentary experience to decide this question—were it not that I believe there is a great deal of misconception as to the real nature of the right hon. Gentleman's Motion. That misconception is that the adoption of the Resolution would necessarily involve an Autumn Session, and I think the fear of that is likely to cause many of my hon. Friends to abstain from voting. But I am strongly of opinion that the carrying of the Resolution need not involve anything of the kind. Personally, I am not opposed to autumn sittings. I should prefer being here in the month of November to being detained here in the month of August. But I am also of opinion that a great saving of time could easily be effected at the beginning of the Session; and if we were to meet for the despatch of business the second or third week in January instead of a month later, we should have a change which would give us at least three or four weeks more for business. But this would not be the only thing necessary to be done in order to secure the adjournment of the House in July. In the first place, as mentioned by the hon. Baronet the Member for Walsall, I think we ought to prevent the unnecessary and mischievous waste of time which occurs every year in the debate on the Address. We should save at least a fortnight for other business by that means. In the next place, an important saving of time could be effected by a change in the practice of putting and answering so many questions in the House. If these changes were taken in hand by the two Front Benches, I believe they could easily be carried into effect, and then, by adopting them, all necessity for an Autumn Session would be avoided, for the work of the House could be easily completed by July, and a great and beneficial change would be

made in the conduct of business in the House. I hope that, under these circumstances, seeing that a great deal of time might be saved in the manner indicated, hon. Members will vote independently upon the Motion, and that it will be carried. If, however, we do not succeed, we shall, I hope, show such a large number of Members to be in favour of the change that we shall secure it at no distant time.

(5.40.) MR. WHITBREAD (Bedford): I propose to vote for the Resolution of my right hon. Friend mainly as a protest against the present system rather than in any hope or expectation that the Resolution can be accepted in the form in which it now stands. There is, I think, a general desire amongst mankind to get a holiday in the summer. It is the natural time for holiday making, and there is a good deal of force to my mind in what the right hon. Gentleman said, to the effect that all our constituents take their holiday in the summer, whilst we are unable to get ours until the autumn. The House certainly ought to have its holiday in the summer if it can, and the great point is how best can that be achieved? I do not think it is possible to arbitrarily fix a day in July for the termination of the Session unless we are prepared to return to business in the autumn; because I do not see how the Government could possibly get a reasonable amount of business through if their opponents knew that on a certain day the House must rise. The very fact of such knowledge would cause what we call obstruction to enormously increase, and it would be almost impossible for the Government to carry on its business. On the other hand, I very strongly object to the existing arrangements, which give the Government a tremendous power of putting the screw on the House and on hon. Members towards the end of the summer. I would suggest whether we could not arrive at some solution of the difficulty by appointing a Committee to examine all the surrounding circumstances. Would it not be possible to shorten the Session, for instance, by doing away with the Whitsuntide holidays? If that were done, I think we could easily get through the business of the House between January 7 and July. Will the right hon. Gentleman the First Lord of the Treasury consider the desirability of appointing a Committee for this purpose, because I believe an arrangement could be easily come to which would be acceptable to the Government and to the House generally.

*(5.45.) MR. W. H. SMITH: I do not rise with any desire to put pressure on hon. Members behind me as to the course they should pursue in the Division which the right hon. Baronet has said he intends to take on his Motion. The matter was one of very great importance to the House itself, and I can well understand the interest with which the proposal for a summer holiday has been received. There is, doubtless, hardly one of us who would not desire to get a holiday as suggested if it were practicable; but hon. Members must be careful as to what they do in the matter, for there is a danger which they may run by adopting the course proposed by the right hon. Baronet. I am not at the present moment aware of any system or conditions under which we can insure that the House shall rise at a given date with due regard to the business of the country unless we also agree to meet again to conclude that business as best we may by prolonging the sitting to the end of the year. I would suggest to my hon. Friends on this side of the House that by adopting the Resolution they might extend rather than shorten the Session. They might, indeed, by so doing expose themselves to a greater amount of suffering than has now to be borne. The hon. Member for Bedford has suggested that a Committee might be appointed to consider the question. There have been many Committees to consider the course of procedure and the business of the House; and, speaking for myself, I should be exceedingly glad if a Committee could by any means suggest a method by which hon. Members can obtain a summer holiday and, at the same time, discharge their duties and responsibilities to the country. It has been suggested also that the House might meet in January and adjourn early in July without an Autumn Session. I am unable to follow the right hon. Gentleman who made the suggestion in the method by which we could get out of this dilemma. It seems to me that unless the House places restrictions on the liberty of speech which now prevails, and invents a system which does not

now exist as to the business which the Government of the day must lay before the House, unless the House seriously shortens the liberties of discussion in Supply, I cannot conceive any system by which we could at present bring the moral pressure spoken of to bear so as to induce the House to discuss business, to pass the measures which are requisite, and to give that full consideration to Supply which is necessary and yet adjourn at an early date in July. The business of the country must be our first object, and the Government cannot enter into any arrangement which would hamper the House in the discharge of its duties and responsibilities. The right hon. Gentleman suggested that there might be two sittings—one to end in July, and a sitting in November. But would the House be able to end the Session in July? Can the right hon. Gentleman suggest any method by which it would be certain that the business of the country will be completed in the first or second week of July? If not, the House must sit till probably the end of July, and then it would be found necessary to meet again in November, in order to dispose of the business which remained unfinished in August. Then it is said that the House should begin the Session in November and end it in July; but here, again, the difficulty is that the Government would not be able to get the necessary business disposed of. Supply would not be concluded by the first week in July, and the House might sit until the middle or end of July, or even into August, and the practical result of the Resolution would be to add seven or eight weeks to the Session. The question of the appointment of a Committee to consider this matter is, however, one as to which, I shall, on the part of the Government, offer no objection whatever. I only desire to represent to the House that unless it can arrive at some hard-and-fast rule, or unless it is absolutely laid down by Statute that the House shall rise at a given date, the Session will certainly be extended beyond the period to which reference has been made, with the result that hon. Members will find that they have lost instead of gained by the change. I therefore strongly advise the House not to pass an abstract Resolution with reference to the business of the country without having considered beforehand how that business is to be conducted, and how Parliament is to get through the work imposed upon it. If the House is prepared to face the abolition of the debate on the Address, to place some restriction upon the length and the number of speeches and the repetition of arguments, then I shall look forward with a confident hope to a considerable diminution of the strain to which Members of Parliament are now subjected, and which, undoubtedly, seriously interferes with their ability to thoroughly perform the work of the country. But I should myself hesitate to propose any drastic measures to the House which would interfere with the liberty which hon. Members have hitherto enjoyed; but hon. Members, animated with a sense of duty and responsibility to the country and with a consideration for their Colleagues in the House, may ultimately place such a restriction on themselves as will conduce to the end we all desire to attain. If that end should be gained, then no Resolution is needed, because it would be gained by the good sense and the good feeling of the House itself; and this, I think, on the whole, is the best course which can be pursued in the circumstances of the case.

(5.55.) MR. JOHN O'CONNOR (Tipperary, S.): I am sorry to feel myself compelled to oppose the Resolution of the right hon. Gentleman the Member for Bridgeton. I do not oppose it because I object to holidays. On the contrary, I like my holidays to recur often and to last as long as possible. Indeed, an autumn Session would be a luxury, for it would afford me an opportunity for putting an additional number of questions to the right hon. Gentleman who has the misfortune to fill the seat of Chief Secretary. Certainly, I have no concern for what is described as society. The right hon. Gentleman has described in eloquent language the pleasures of the country and the desirableness of enjoying them when at their best, instead of sitting at Westminster. No one enjoys more than I do a walk in our beautiful parks; no one admires more than I do the fine horses in Rotten Row, or the splendid people who ride them. But I am sure that hon. Members will not judge of this subject either by the frivolity of society or the frivolity of sport. The men who compose the work-

ing element of the House of Commons are those engaged in business. I have had some experience of business as well as of society, and my belief is that success in business depends on continuity. There are many hon. Members interested in business in Australia, in India, and other countries, and how is it possible for those business men engaged in affairs remote from this country to pay attention to their interests if they have to hurry back from their long journeys in order to take part in an Autumn Session? Both with regard to business and politics, therefore, a long and continuous holiday is necessary; and this essential element in our political life would be destroyed were the Motion of my right hon. Friend carried. I think in this matter we should profit by the experience of America. There the Parliament must sit once a year, and matters are so arranged that by sitting at the end of one year and the beginning of the next it is possible to get a holiday of nearly two years. If this can be done there without detriment to the interest of the nation, why should we not follow the example? What are we going to do with the men who take long journeys for business, politics, or pleasure, if such a change as this is agreed to. Suppose a Member wishes to go to Egypt or Australia? When he goes from home he drags after him a lengthening chain that ties him to this House and brings him back in the autumn. An hon. Gentleman says, "Let him leave the House." If that were the case, you would immediately deprive this country of some of its best servants—of some of those business men who devote their energy and experience to the work of the country. If you put this restraint upon Members, if you tie to them a lengthening chain which hauls them back to this House from long journeys, it will be necessary to make another alteration of your system and pay your Members. I have one additional reason. There are 85 Irish Members. ["More."] If I may speak for hon. Members opposite, there is a larger number of Irish Members than 85, who suffer from English misrule. The tyrant Saxon has imposed laws upon Ireland that are not at all suited to the requirements and interests of her people. Is the tyrant Saxon going to impose another grievance upon Irishmen? We are asked to come here in the autumn, as well as in the spring and summer, and are you going to inflict upon them the terrible ordeal of *mal de mer*, crossing as they do in boats that have shallow keels, and that roll in the surf of the Channel? I consider that would be one of the greatest grievances from which Ireland suffers. I hope the House will take into serious consideration this last argument, and that they will continue to transact their business in one Session, leaving hon. Members a sufficient interval to attend to their own business.

*(6.5.) SIR JOHN MOWBRAY (Oxford University): Sir, I am afraid my remarks will fall rather flat after the amusing speech of the hon. Member, who took us from Rome to Australia, the Legislature of the United States, and back again to the grievances of Ireland. This question which has been raised by my right hon. Friend is deserving the grave consideration of the House, affecting, as it does, the business of the House. I agree with the First Lord of the Treasury that the real question to consider is the efficient discharge of the business of the country, and it is on the ground that the Motion of my right hon. Friend the Member for Bridgeton, by altering our times of meeting, will enable us better to transact that business, that I give him my support. It is puerile to go back to the days of Lord Palmerston or earlier. It was easy enough in those days for Members to make their arrangements to leave on the 1st August, the House rising as before on the 12th, but that is no longer possible. In 1886 and 1887 we were sitting here late in September; in 1888 we were detained until the end of August, only to return again in November. The state of things has become intolerable. Members have no opportunity to properly go into the details of Bills; it is impossible to do it. I hope the House will pass this Resolution to-night, and affirm the principle that some change shall take place. I do not say that we can now fix the date in July when we are to rise; possibly that is a matter for the consideration of a responsible Minister of the Crown. I do not approve of the proposal of a small Committee appointed to consider the subject. It would sit throughout the Session; it would report late, and its Report might go over to the next Session. If there is to be a change in

the meetings of the House the best person to propose that change is a responsible Minister of the Crown. Let us strengthen the hands of the Government to-night by passing the Resolution. It can be decided afterwards that the House shall rise some time between the 10th and the 31st July. Whether an Autumn Session would be required under that arrangement would be a question remaining for decision from time to time. I hope, as a general rule, there would not be a Session in the Autumn. Some years an Autumn Session would be necessary, and some years it would not. I have no objection to a short autumn Session, beginning in the middle of November. The health and temper of the Members is affected by the present system; besides which the right hon. Gentleman in the Chair, and the officers of the House, who cannot get away as we do, have a great strain put upon them. We ought to embrace the opportunity of affirming the desirability of a change, leaving details to the future.

(6.10.) MR. T. P. O'CONNOR (Liverpool, Scotland Division): Sir, I rise in support of the Motion of my right hon. Friend. I am sure that the attitude of the First Lord of the Treasury towards the Motion is not inspired by any personal hostility, but by his sense of duty, for it will be admitted that none suffer more from the long hours than the right hon. Gentleman himself. I might be tempted to say, but I withstand temptation, that we on this side could show the right hon. Gentleman a very ready means by which to reduce the business of the House, as this is not a Party debate, but I will not dwell upon that subject. I believe there is one point on which my right hon. Friend did not touch. It is this: The present prolonged Vacation really places in the hands of the Executive of this country an amount of unrelieved and undisturbed authority which has its risks. I have no desire to weaken the Executive. In some respects it requires strengthening, and I think the present bloated and large Cabinet might be reduced so as to be able to work with steady, resolute action. It seems to me unfair that great issues have to be left for months without there being any control whatever over the Executive. I believe if a certain date for rising were fixed there would be an enormous temptation to obstruction. My hon. Friend has referred to America. Perhaps he will permit me to say that he knows very little about America. He was there about a fortnight. I stayed there seven months, and was in Washington. I will say this—much as I admire American institutions, I should not like to see their rules of procedure transferred to this House. Probably they have more eloquence there than we have here, but it seems to me that the limitation of the time of a speaker—a proposal I grieve to have heard made in this House —[*laughter*]—hon. Members laugh—I do not know whether I am obnoxious to the exercise of that rule—to limit the time of a speaker, I say, tends to make the debate artificial. The system of moving the previous question in America is destructive of anything like reality of debate. The matter might be dealt with in this way. The November sitting might be made a part of the Session. It would be most unwise to begin the Session in November, because you would get no relief at all. Besides which you would avoid the effect of the obsolete and absurd rule by which a measure not passed in one Session is lost, together with all the labour expended upon it, and has to be re-introduced in the following Session. I think the proposal of the present Solicitor General, that a Bill unfinished in one Session should be continued in another, an admirable one. But if there were an autumn Session the Bills might go on from July to November and the time now lost might be saved. I would offer this suggestion as one means of meeting the difficulty. Beyond this, I would point out that a good many hon. Members have a great deal to do besides political work. We have a great many merchants in the House and a good many lawyers—perhaps I should be right in saying too many lawyers—and I think the strain of constant attendance here is becoming too severe for those who have other work outside. It is right, therefore, that we should seek a remedy, and it is clear that the shortening of the sittings, which has already taken place, ought to be carried to a much greater extent. As it is we waste every night two or three hours, which are occupied by speeches addressed to an almost empty House during dinner

time; for I would ask the House what advantage is it to the debates and deliberations of this House that hon. Members should address you in the Chair when the rest of the House is conspicuous by its absence? We ought to meet earlier in the day.

MR. LABOUCHERE: Oh!

MR. T. P. O'CONNOR: The hon. Member for Northampton is one who loves late hours, and we all know that he would like to sit up till 4 or 5 o'clock every morning if he could; but we do not all possess the splendid constitution of the hon. Gentleman, and cannot all bear the toil which sits so lightly on his shoulders. It seems to me ridiculous that we should sit here till 12 or 1 o'clock every night keeping you and the officials of this House in attendance, when the hours might be very materially lessened by some reasonable arrangement. If we had a break in July important questions might be kept over until we meet again in November, when we should come back refreshed by the period of relaxation from work. As to what has been said with regard to hon. Members going to India and Australia, they are a very small minority in the House, and although we might desire to see that minority increased, so that more hon. Members should make themselves acquainted by personal inspection with the distant portions of this great Empire, still they might start in July instead of September, and would probably find that that would be the more convenient period for their journeys. I trust that the Resolution will receive the support of the majority of this House.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I think the House is agreed that we should rise earlier than we have done lately. The question is how we can best attain that object. I further assume that the House does not wish to sit a greater aggregate number of months than at present. In our endeavour to shorten the aggregate Session, and so leave more time for non-Parliamentary life than we have at present, we must take care that we do not bring about exactly the opposite result. I ask the House to realise the danger there is of prolonging the Session. One hon. Gentleman, for example, who supported the Motion, said he did not like the Executive Government being untrammelled for so long a time as at present. But I venture to think that two Sessions would always be worse than one, and that it would be better to have a longer Session than to have hon. Members coming "fresh" to Parliament twice in the year, which would, I think, rather have a tendency to prolong than to shorten Sessions. Is it desirable that the aggregate sittings should be prolonged? It appears to me that if the proposed change were to take place we should lose our Whitsuntide holidays in the hope of rising in July—a hope which hon. Members themselves say it might be impossible to realise. How are we to guarantee that we should rise in July? It is quite clear it can only be done by appealing to the honour and good feeling of the House to bring the Session to an earlier end. Unfortunately, a few Members have the power to prolong the Session indefinitely, and, if rumours are true, frequently declare their intention to do so. What I should advise is to have a Committee to examine the question, and see whether means cannot be devised which would bring about an earlier rising of the House. The Motion could only be carried out by somewhat stringent changes in the Rules of the House, as otherwise it would be quite impossible to accept the suggestion of a fixed date on which the House should rise. If the Rules are to be altered for that purpose it must be done by the House itself consenting to those changes. Those changes, if proposed by the Government, would be considered as curtailing the privileges of debate, and would be received with the greatest suspicion by private Members. In Committee on the Estimates it has at times been impossible to persuade some hon. Members to forego a single opportunity of discussion, even on the Report. For my part, I can see there is a general feeling in the House that these unduly prolonged Sessions are damaging to Parliament. Let us make one more effort to shorten them, and have a small Committee which will take into account the varying expression of opinion among hon. Members; otherwise, I venture to warn the House that we may, by setting up the precedent of an Autumn Session, find ourselves in a worse condition than ever. I think a continuous holiday in some part of the

year almost indispensable. There must be some time devoted to administration and the consideration of fresh measures of legislation. If there is to be no continuous rest I fear that both administration and legislation will seriously suffer. I hope the right hon. Gentleman will accept a Committee, with a reference to the effect that they should inquire into the matter with a view to seeing whether measures cannot be taken to secure the earlier rising of the House in the summer. Such a reference would accept the principle of the right hon. Gentleman's Motion without committing ourselves absolutely to July.

(6.27.) Mr. PICTON (Leicester): I think it a very wise suggestion that a Committee of this House should inquire into the subject under debate; but, at the same time, I think it better that the House should express a clear and definite opinion upon the question before that Committee is appointed. For my part, I cannot see why the House should not meet somewhat near the beginning of January, and in that case a Session of six months would bring us to July, which would be quite long enough for any of us. I hope the House will assent to the Resolution in the first instance, and that then we may have a Committee appointed.

(6.28.) Mr. E. HARRINGTON (Kerry, W.): I desire to say a few words in favour of the Motion of the right hon. Baronet. From my point of view it would be better to go to our work in the country at an earlier period of the year than is the case at present. It appears to me that the terms of this Resolution distinctly point to an Autumn Session, because——[Several hon. Members: No, no.] It seems to me that the substantial part of the Resolution is that it does point to an Autumn Session. Let me read the words of the Resolution itself—

> "That, in the opinion of this House, Parliament ought to rise at the beginning of July, and that the time required for the due transaction of Public Business should be provided by Parliament sitting during a longer period of the winter than is customary at present."

The House will practically have two Sessions if it adopts this Resolution. It is inconvenient enough for Irish Members to cross the Channel once, and I do not think we ought to have to do it more than is necessary.

*(6.30.) Sir GEORGE TREVELYAN: With the permission of the House, I wish to say a few words. I feel that the courteous manner in which the Government have met us requires an answer. That answer is not exactly that which for some reasons I should like to give, for I cannot accept their offer of a Committee. If the House wants a change, the Government, and the Government alone, can carry it out. The Resolution I have placed before the House appears to me to be very plain, and I do not think it is open to the criticism which has just been passed upon it. I should like the House to meet almost immediately after Christmas, and I think if we did away with the Whitsuntide holidays, we should be able to rise by July. I would remind the House that the Division which we are about to take is not a Party Division, but one in which hon. Gentlemen will show what they think. Of course, until a decided majority of the House is in favour of the change, it never will be adopted, and I know that the only way to secure its adoption is, in the first instance, to take a Division.

*(6.32.) The PRESIDENT of the BOARD of AGRICULTURE (Mr. Chaplin, Lincolnshire, Sleaford): I must remind the right hon. Gentleman that one of the cardinal points he put before the House in his opening statement was, that the House should sit seven months in the year. If we are to meet shortly after Christmas, and go on until July, we certainly must have some holidays. The proposal of the right hon. Gentleman really amounts to this, that we are invariably to have an Autumn Session. If hon. Members are desirous of having an Autumn Session every year, let them vote for the Motion; if, on the other hand, they are opposed to it, I hope they will go into the Lobby against it.

(6.33.) Dr. TANNER (Cork Co., Mid): I listened with considerable surprise to the speeches of both my hon. Friends who have spoken from these Benches. It does not appear to me that this is a matter of personal convenience at all, but a matter concerning the interests of those whom we represent. It is not a question of the convenience of Members who may wish to go abroad or those who may suffer from *mal de mer*. The question is how best we can transact

the business of this House. I really should have expected a very different statement from the right hon. Gentleman who occupies the position of the Chancellor of the Exchequer (Mr. Goschen). He did not make a single remark in his speech about the business of the House; and I would impress upon him that when he rises in his high official position to address this House on a matter of procedure he should not trifle with the subject, but should deal with it in a serious manner. I sincerely hope that all my hon. Friends will vote in favour of the Motion.

(6.37.) MR. W. REDMOND (Fermanagh, N.): I rise merely for the purpose of saying one word in support of the view just put forward by my hon. Friend (Dr. Tanner.) I do not at all regard this as a matter concerning, in the first instance, the convenience of hon. Members. I think it is a question of very great public importance. I am in favour of this House sitting for as long a period of the year as possible, not because I like to bring hon. Members here; but because my experience teaches me it is when Parliament is not sitting that the Government behave in the most atrocious manner in Ireland. I am convinced that if we had the opportunity of, to some extent, controlling the Executive Government in Ireland by sitting at different periods of the year, it would be a great deal better for the people of our country. My hon. Friend the Member for Kerry (Mr. E. Harrington) commented upon the inconvenience Irish Members experienced in coming here from Ireland; but, unfortunately, we have to come backwards and forwards a great many times during the year, and it could make no practical difference if we crossed the Channel once more in the course of the year. I am strongly in favour of the Motion, and I believe it will be supported by a majority of the House.

(6.40.) The House divided:—Ayes 173; Noes 169.—(Div. List, No. 28.)

Main Question again proposed.

*(6.52.) CAPTAIN VERNEY (Bucks, N.): On this question I hope we may have some assurance from the Government that until the Tithes Bill is passed the military will not be used for the purpose of extracting tithes. As the Government have brought in a Tithes Bill, I think everybody will acknowledge that there is just cause for discontent at the employment of troops for this purpose, certainly unless careful inquiry is first made as to whether or not, the services of troops are necessary. In the Island of Anglesey a County Council has been returned strictly charged that public money shall not be used in the employment of police for the collection of tithes. The feeling in that county is very strong on the matter, great irritation having been caused by the employment of troops on this unpleasant duty; and I trust that the Government, to whom the Principality already owes so much for the benefits they have conferred on it, will give me the assurance I ask.

(6.55.) MR. W. REDMOND (Fermanagh, N.): I desire to call attention to the conduct of the Government in regard to the prosecution of certain newspaper editors in Ireland. Some time ago I had occasion to write to the Press on the subject. The right hon. Gentleman the Chief Secretary wrote a reply, and I then sent another communication to the newspapers, but no answer has been sent to that by the Chief Secretary or anyone else. In that communication I pointed out what I intend to point out to-night, namely, that the Chief Secretary has entered upon a system of prosecuting newspaper editors in Ireland for so-called offences which, in this country, would not be considered offences at all, and which would not be prosecuted. For instance, I asked the right hon. Gentleman the Chief Secretary yesterday why it was that the Lord Lieutenant had failed to make the Mayor of Wexford one of the Governors of the Asylum near Enniscorthy, in the County of Wexford, and he gave me a reply to the effect that he had, for the first time, refused to nominate the Mayor of Wexford to this position because he had been sentenced to two months' imprisonment. I asked for what offence the Mayor of Wexford had been sentenced to two months' imprisonment, and sent to gaol like a common pick-pocket, and the right hon. Gentleman the Attorney General for Ireland informed me that the offence was publishing a resolution passed at a public meeting in the County of Wexford. Now, I ask any Member of the Government to point out a single instance in

this country where a newspaper editor has been sent to prison and treated in every way as a common felon for the publication of an item of news without any comment whatever. The Chief Secretary, in the letter he wrote to the Press, pointed to a case where editorial comments had been made upon an item of news, and certain individuals had been mentioned by name. Those cases are altogether in the minority, and the great majority of newspaper editors who have been sent to gaol in Ireland have been prosecuted for publishing news pure and simple, without any comment whatever. The right hon. Gentleman may say that although there were no editorial comments, these items of news in themselves were calculated to do harm by inciting to violence. But what has occurred in this country? Some time ago a man made a speech in Hyde Park, and recommended that another man should be murdered. He said that any man who murdered Mr. Livesey, who had been associated with the gas strike in London, would be a popular hero. This man was brought to trial, and let off altogether. The point is this, that newspapers in this country published the speech of this man, recommending in cold blood the murder of Mr. Livesey, and not one of them was proceeded against. How is it that the law is so unequal in the two countries; and that editors are sent to prison over and over again in Ireland for so-called offences which are infinitely less serious than similar offences which editors can commit in England with impunity? The Chief Secretary was asked a question last night as to Mr. M'Hugh, the proprietor of the *Sligo Champion*. Mr. M'Hugh was, until a short time ago, Mayor of Sligo, and was sent to prison for something which appeared in his paper at the time he held the office. He is again in prison, and the sole crime the man can be said to be guilty of is that he published a resolution passed at a public meeting of the people of the County of Sligo. He made no editorial comment, and did not say whether the meeting was advisable or not, or whether the matter contained in the resolution was good matter or otherwise. He merely published news of what had occurred for the benefit of the public generally. He is now being treated in prison like the commonest felon. I ask any Member of the Government to get up and instance a single case in which an English newspaper editor has been treated as a common criminal, and has been forced to conform in every way to prison discipline, and to exercise with the vilest criminals. The right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) will remember the case of Mr. Edmund Yates, who was sent to prison for an offence of a very grave character, namely, the publication of a very serious libel reflecting on the honour of people in this country. For this disgraceful and infamous offence he was made a first-class misdemeanant. He was allowed to see his friends in prison, and I believe he was even permitted to edit his newspaper from prison. Newspaper editors in Ireland who have committed no crime of that character, and whose only offence has been the publication of what is done openly in the country, are treated like common criminals. I invite the right hon. Gentleman to say whether this kind of thing is at all likely to extend respect for law and order in Ireland, or to make us feel satisfied with the way in which we are governed. Of course, as usual, there is nobody here representing Ireland. This is a matter of very considerable importance—a matter regarding the arrest of no less than 14 or 15 newspaper editors in Ireland—and yet there is no Member of the Government connected with Ireland present. I ask the First Lord of the Treasury whether this is not a case in which an Irish Member may legitimately endeavour to obtain information from the Government? It is perfectly true that no notice was given of my intention to inquire into this matter, but the right hon. Gentleman the Chief Secretary must know perfectly well that Irish Members are not likely to lose any opportunity of bringing forward such questions. Will the right hon. Gentleman (Mr. W. H. Smith) send for the Chief Secretary?

*(7.8.) MR. W. H. SMITH: If the hon. Gentleman had given us the slightest intimation of his intention to bring forward this matter, my right hon. and learned Friend the Attorney General for Ireland (Mr. Madden) would have been in his place to answer him. He will, I think, admit that it is usual to give some intimation of the intention to refer to such questions. My right hon.

and learned Friend, in discharge of his duty, has been obliged to leave the House, and my right hon. Friend the Chief Secretary has left owing to the necessity of taking some little rest. I am not able to give the hon. Gentleman the information he desires. Questions have been addressed to my right hon. Friends on the subject, and answers have been given by them. Beyond those answers I have no information, and I can only regret that the usual notice was not given.

*(7.9.) Mr. STUART RENDEL (Montgomeryshire): With reference to the appeal which has been made by my hon. Friend the Member for Bucks (Captain Verney) to the right hon. Gentleman the First Lord of the Treasury on the subject of the employment of the military at tithe distraints in Wales, I wish to give an earnest support to the views he expressed. I am quite sure that the magistrates of the localities would think most seriously and earnestly before they took such an extreme step again as that of summoning the military, and I think their past experience of the use of the military cannot have been very encouraging to them. At the same time, I hope the House will remember that some 18 months, or, at any rate, some 12 months, have passed since soldiers were employed at all. Since that time the conduct of the people has not been such as to render it conceivable that any military force would be required

*(7.11.) Mr. MATTHEWS: I regret that I was not aware that this subject would be mentioned. I have not the papers with me; but, so far as my memory serves me, I believe that the military were only called out twice and at a considerable interval of time. I have done all I could to discourage and prevent appeals to the military, and have two or three times expressed a strong view against their employment. But the Government cannot interpose authoritatively in this matter. If the magistrates of a county think it necessary to apply for the use of soldiers the Government have no option, and cannot refuse military a d. As the hon. Member is aware, no subject of the Queen can refuse to render his aid if called upon by the magistrates.

Mr. T. M. HEALY (Longford, N.): I think the Welsh Members ought to be gratified with the right hon. Gentleman's statement, because it shows that some pressure was brought to bear on the magistrates to prevent the employment of the military. The right hon. Gentleman has laid down a proposition of law which, as an abstract proposition, no one will be prepared to contest; but I imagine that the question does rest entirely with the Government for decision, because unless they leave the troops at the disposition of the magistrates, the latter cannot avail themselves of them. In Ireland it is constantly arranged beforehand to have the troops on the spot; and I imagine that what the Welsh Members are complaining of is that the soldiers are placed at the disposition of the magistrates. The magistrates cannot, any more than anyone else, call spirits from the vasty deep, and they cannot call upon the soldiers for help if the soldiers are not there. In Ireland I would rather see troops than police in operation, because my experience is that troops are popular in Ireland, whilst the Royal Irish Constabulary are detested. When you have the Royal Irish Constabulary bayoneting and smashing heads, you find that the men whose business it is to do real fighting behave with moderation. Therefore, I make no complaint on this point with regard to Ireland as at present advised, further than to object to the use of troops on the ground that it shows you are backing up the landlords. But if you are going to back up the landlords I prefer Tommy Atkins, as far as my experience goes, to the members of the Royal Irish Constabulary. As to the point raised by my hon. Friend the Member for North Fermanagh (Mr. W. Redmond), the statement made by the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) is an exhibition to us of the manner in which Irish affairs are conducted. It has absolutely come to this, that you can imprison 15 editors in Ireland, you can gag the entire Irish Press, and there is not a single Member of the Cabinet, except the Chief Secretary, who is even aware of the fact. If these things had been done in any other portion of the Queen's dominions is there a single Member of the Cabinet who would not have been able to make some defence for it? The right hon. Gentleman's admissions are an appalling instance of the

boycotting of Irish affairs. The House deems it a sufficient justification for ignorance of Irish affairs for a Member of the Cabinet to say, "I have nothing to do with Irish affairs." Suppose some English editor were prosecuted for sedition in the Transvaal, there is not a man on the Treasury Bench who would not be ashamed to confess he knew nothing about it. The fact is that Ireland is not treated, except for fiscal purposes, as part of the Empire. The question of Mr. Welsh's imprisonment is one on which we have some reason to complain. A man has just been prosecuted for inciting to the assassination of Mr. Livesey, of the South Metropolitan Gas Company. From the *Times* downwards, every English newspaper yesterday printed the incitement to assassination, and yet they all get off scot-free. And we are told there is the same law for the two countries. Mr. Henry Welsh is the Mayor of the Borough of Wexford—a borough probably as old as any of your English boroughs—and you put him into gaol for inserting a report of a branch meeting of the League in an obscure corner of his paper. The Lord Lieutenant has for the first time exercised his prerogative of depriving Mr. Welsh of his position as Governor of the local lunatic asylum. I say this is a mere piece of malignity, as is also the sentence of two months' hard labour passed upon a man who is tolerably advanced in years as he is. He had already undergone sentences of two months' hard labour and five weeks' hard labour, and he was released yesterday from gaol after serving two months' hard labour for printing a report of a branch meeting. By depriving him of his *ex officio* position as Governor of the asylum you insult the whole of the burgesses of the borough. And because all this takes place, not in the Transvaal or in Matabeleland, but in Ireland, you know nothing about it. The Attorney General for Ireland (Mr. Madden) has admitted that Mr. Welsh's only offence was the publication without note or comment of a resolution of the National League. If anyone was to be prosecuted for the publication of the recommendation of the assassination of Mr. Livesey the first person to be proceeded against would be the First Lord of the Treasury, who circulated the newspapers. The First Lord of the Treasury is as guilty of incitement as Mr. Welsh was. I am very sorry that the illness of the Chief Secretary (Mr. A. J. Balfour) prevents him being in his place to answer us. I do not believe that if you took the entire Orange Party in this House, and put into the veins of one man all the Orange virus you could extract from them, they would treat representative men to the humiliations which the Chief Secretary has treated them to in Ireland. No Irishman, however bitter he might be, would do so. The Chief Secretary is not content with degrading men; he makes misstatements about them afterwards. He denied in a published letter that these gentlemen were put in prison for publishing news, although he did not attempt to get up in this House and repeat the statement. There is the case of Mr. McInery. That gentleman being now in prison and his mouth closed, the Chief Secretary holds him up to reprobation in the public Press of the country, so that the County Court Judge may not be deceived as to the opinion of one of the parties in the case. There are 14 or 15 other editors whose cases were cited in the Press by my hon. Friend the Member for North Fermanagh (Mr. W. Redmond), and yet the Chief Secretary did not contradict him. What I say is this: coerce us as much as you like, but tell the truth about us. If it is necessary to put us down as a gang of pirates, robbers, and assassins, come out boldly with the arms in your hands, but when you have done it, do not deny it, but own up to it. The Chief Secretary cannot defend his proceedings, and so he has to invent statements about them which are not borne out by the facts. You say that these men have committed an offence. Is it a worse offence than the cowardly and blackguard libel of which Mr. Edmund Yates was convicted? He attacked a lady, and then surrendered the name of the real author of the libel, in order that he might shelter himself behind her petticoats. He was sent to gaol, but he was allowed to conduct his newspaper and to maintain himself as a first-class misdemeanant. In Ireland, now that your prisoners refuse to associate with criminals, or to wear prison clothes, or to clean their cells, you isolate them. At the present

moment there are in Tullamore Gaol some half a dozen men who are allowed to wear their own clothes. You do not give them even the satisfaction of seeing each other's faces, and you do not even allow them to take their exercise by walking in a ring three or four yards apart. They have to take their exercise by themselves, as if they were some kind of wild animal. This is how you treat men as honourable and as good as yourselves, and who have certainly never descended to any act of personal dishonour. Why is it that you take these Crimes Act prisoners to Tullamore Gaol? Because you believe you have in the Governor of Tullamore Gaol, Mr. Featherstonhaugh, a man you can rely on, the man who brought poor John Mandeville to his grave, and so sorely ill-treated my hon. friend Mr. W. O'Brien. You have a large number of these prisoners, but you will not give them the benefit of a special class for themselves; you will not let them communicate among themselves. I marvel at the inhumanity of your conduct. I am prepared to absolve the Chief Secretary; I have made my condemnation of him upon other matters, but in this matter of prison discipline I believe the responsibility rests on Mr. Bourke—that he is mainly and entirely responsible. The callousness, hard-heartedness, and vindictiveness of that gentleman's character make him a fitting tool of the Administration. He could fawn upon a prisoner like my hon. Friend the Member for Kerry (Mr. E. Harrington) to induce him to forego his intention of appearing as a witness in prison garb before the Commission. He feared the result of this object lesson to the English people, and begged and beseeched my hon. Friend to wear his ordinary dress, but my hon. Friend was brought through the streets of Dublin in his prison garb. I absolve the Chief Secretary of a good deal of the malignity of conduct towards these prisoners, and believe that these matters are directed by the political malice of Mr. Bourke, whose conduct was several times before the Commission. He seems to take a pleasure in torturing his prisoners. These prisoners were brought from other gaols to Tullamore because there was an instrument ready fitted to the petty malignity of Mr. Bourke. I am sure if it were realised in England how these prisoners for Press offences are treated an indignant protest would go up from the Press of the entire country. It is torture enough that you have been in prison at all; it is bad enough to be imprisoned in a palace, let alone Tullamore Gaol. The extent of our claim is that these men, whose exceptional position you have recognised by allowing them to be exempt from the rule for wearing the prison garb, should be allowed to exercise together; and the fact that we do not claim that they should communicate with each other shows the moderation of our position. Of course, we claim that they ought not to be there at all, but if the law and Constitution cannot stand this slight privilege, the sooner law and Constitution disappear the better. Another matter that I have to refer to is the recourse that is had to the Statute of Edward III. after prosecutions have been instituted under the Crimes Act. I am glad to see the Attorney General for England in his place, for on a question of abstract law he will give a candid opinion. I believe that what is going on in Ireland is contrary to the settled practice in England since the days of the Stuarts. In Ireland you prosecute under the Crimes Act, you oust the jurisdiction of the coram, you convict under the Crimes Act, and then you inflict no penalty. Now, an English Court would set such a conviction aside. Is there not an old phrase, which at the moment I cannot recall, founded upon repeated judgments, that conviction without forfeiture is bad? Why, we could find authorities stacks high on the subject. But in Ireland you convict a man under the Crimes Act, you inflict no penalty, but you order him under the Statute of Edward III. to give bail for good behaviour. I am not contesting that whether a man is convicted or acquitted he may be bound to keep the peace. I do not contest that as a mere point of law, but you have ousted the jurisdiction of the coram of the county, you inflict no sentence, but under a charge for which he has not been cited you inflict this punishment. I say it is a monstrous perversion of legal procedure. I take the case of Mr. John Slattery, and I say it is the greatest prostitution of process of law ever committed. This, I believe, is for statistical purposes. You want to

show the country that you are not using the Crimes Act, that convictions are few, and dwindling daily. But you use the Crimes Act to prevent the ordinary magistrates from adjudicating. You have your two tools on the Bench, who will take care the case shall not appear in the statistical indictment against the Chief Secretary, showing the number of convictions. But what is the effect? If Mr. Slattery had been sentenced to six months' imprisonment under the Crimes Act he would have had an appeal, but it has now been formally decided that as Mr. Slattery's case stands he has no right of appeal. Is that not a monstrous state of affairs? Conviction without penalty would be quashed in any English Court. I could give you authorities six feet high on the point. The demand of the Irish people since the days of the Irish chiefs has been—"Give us English law.' This was the old prayer of the Irish chieftains, and still at the end of the nineteenth century we say the same, give us the law as administered in England, and still it is a phantom that eludes our pursuit. Can you find a parallel in England for such action as has been taken in Ireland? It is held in England, and a recent decision of Judge Hawkins is clear on the point, that holding a man to bail is a punishment. The Attorney General assents to that, that Judge Hawkins holds that holding to bail is a punishment that might be pleaded in bar. But in Ireland you will not hold that; you play fast and loose with the English Law; you will not allow us the benefit of it in our favour, but you give us the lash of its thong when it is against us. I say we ought to have the same application of the law as it is known and administered in England. If in England you can plead in bar the sentence of admission to bail in cases when otherwise punishment would be inflicted, then we ought to have the same application of the law in Ireland. This is apart from my indictment of the procedure adopted against Mr. Slattery. He was summoned to show cause why he should not give bail, and under the "Summary Jurisdiction Act of 1879" he would be entitled to be heard in his self defence; but no—you charge him under the section of an Act that does not entitle him to be so heard, and deprive him of that chance. The whole proceeding is a series of traps and legal chicanery; it is not law. Then, again, take the case of Mr. Kelly. He was indicted for conspiracy, and he was entitled to know the particulars of the conspiracy with which he was charged, and this was so held in the case of the hon. Member for Cork in the State trials. Mr. Kelly wrote a letter to that pattern of legal chivalry, Mr. George Bolton, requesting to be informed of the particulars of the charge he was to meet, and to expect a man living in Dublin to be haled down to Cashel in Tipperary to meet a charge without knowing what the charge is to be is to expect an impossibility. Mr. George Bolton sent him a copy of the charge without giving him any particulars. The Attorney General for Ireland is driven by the exigencies of his position to support a proceeding of this kind. I challenge any English lawyer to say that a man is not entitled to know the particulars of a charge of this kind. The Attorney General for England, whose authority I will admit, will allow that a person under a charge of conspiracy is entitled to know the particulars of the indictment. The Attorney General nods assent; why does not the Attorney General for Ireland nod assent? Why does he defend the chicanery of Mr. George Bolton? When Mr. Kelly went to Cashel he found there was not a scrap of evidence against him. He was not given particulars because there were none to give. They adjourned the case for a month, and then our good old stalwart friend Edward III. was lugged in, and the defendant gets three months. We have had much fuss made by the *Times* and other organs of public opinion about the action of the Russian Government in sending men to gaol or to Siberia on suspicion, but what is there worse in the Russian procedure? Indeed, in Ireland you have the element of hypocrisy added. The Russian Government do not use the form of law they simply send a man to prison on an Imperial ukase. The Russian Government do not insult their victims with the sealing wax and waste paper of summons, without particulars, with references to some Statute of the Czar Paul, or the Empress Catherine, or any other departed potentate like Edward III.; they simply clap you into prison, and there you are. There is no red tape

and sealing wax about the business; no added insult with hypocritical reference to forms of law. From a legal point of view, our position is impregnable judged from authoritative decisions on English Law and Procedure. We ask for the guarantees of English Law, and the Irish Law Officer gives a general reply that means nothing. I do not see how the Government can expect any loyalty towards your institutions in Ireland, under a system that revolts and repels every right-thinking man of common sense. No Constitutionalist who studies the system can defend it. Say you put us down as a matter of State expediency, and we understand it as a straightforward and, to some extent, an honourable mode of dealing with political opponents. But that is not your mode of proceeding, and it is a lamentable thing that while the Government here can make no defence, they expect us to be stalled off with the Constitution according to George Bolton. In no other part of the British Dominions, from Jamaica to Hong Kong, would such a state of things be tolerated, and yet we in this House are blamed because we raise our protest against those acts of flagrant illegality. On mere suspicion you keep a man in prison for months, and will not even allow him to write a letter in recommendation of a particular line of railway affecting one of the most important branches of rural industry in Ireland in which he is interested, and which turns over hundreds of thousands of pounds in a day—the pig-buying trade. Look at the pettiness of the tyranny, and how can you defend it? By legal trick you deprive a man of his rights under the Crimes Act. I protest against a continuance of the system. The right hon Gentleman may not have to defend this for long, and I am sure we shall be glad to see him get the position he has a right to expect; but he ought to have regard to English precedents, and to give us the law as administered in England. Out of this we are now tricked and chicaned. I submit that we are entitled to a plain answer from the Government on the limited number of points on which I have touched. This debate sprung up suddenly, and, consequently, we have by no means brought forward the worst cases. Why, a man was arrested the other day because he refused to buy some pigs of another man, but the Court found the charge to be so hollow that he was immediately discharged. Is it not humiliating that you should have to employ a whole army of Government policeman in plain clothes, as was done in this case, to enable rack-renters to sell their pigs? We have, in fact, no law in Ireland. A policeman smashes a man's skull, as was done in the case of the hon. Member for North Monaghan, but we have no remedy. A state of affairs is prevailing in Ireland which, only that the people are looking forward to a General Election, would never be tolerated. The Government says that the peaceable state of the country is due to other causes. They say, "Look to the investments in the savings banks." The investments of the Irish people are in the English democracy, to which they look to put an end to a state of things which, to my mind, is unexampled in its meannesss and malignity.

(8.38) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(8.40.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Mr. Speaker, the hon. Gentleman who last addressed the the House commenced his observations, I understand, by remarking on the absence from the Treasury Bench of the Chief Secretary and myself. Of all the charges brought against those connected with the administration of Ireland, I do not think the most plausible is that any disposition is shown on our part to avoid meeting the accusations brought against us. I do not think that even the most captious critics will accuse those responsible in this House for the administration in Ireland of not being ready to attend to meet, to the best of their abilities, charges brought against them. But to-night there was not the slightest indication that an Irish debate was to be brought on. The Chief Secretary, who, I regret to say, is suffering from an indisposition which I am glad to think is but slight, is taking a short and well-earned holiday; and the moment I myself heard the always welcome voice of a fellow countryman, I entered the House and took my place on the Treasury Bench. If, however, hon. Members spring a debate on the House at a

moment's notice, they can hardly expect the responsible Members of the Government to be prepared in detail to meet the accusations brought against the Administration.

MR. W. REDMOND: In raising this discussion, I commented upon the fact that neither of the Gentlemen representing the Irish Government were here. I admit freely that I brought the discussion up without notice. I said their absence was strange in this respect, that they might have thought hon. Members would, in all probability, take the opportunity of bringing forward matters of this sort.

*MR. MADDEN: I quite admit that it might have been assumed that every possible opportunity would be taken of bringing up matters which had been already threshed out over and over again. But it is somewhat unreasonable to expect Members of the Cabinet to be prepared, without notice, to go into detail into the various newspaper prosecutions which have taken place in Ireland during the last two or three years. I can only take the matter up from the time I came into the House, and I will now refer to the case of Mr. Walsh, of Wexford. When I entered the House the hon. and learned Member for North Longford (Mr. Healy) was calling attention to the fact that Mr. Walsh, who, in the ordinary course of his office as Mayor of Wexford, would have been appointed one of the Governors of the District Lunatic Asylum, had not been nominated to that office by the Lord Lieutenant. The reason Mr. Walsh was not appointed was that at the time he was undergoing two months' imprisonment for an offence against the law of the land.

MR. W. REDMOND: Does the hon. and learned Gentleman mean to convey that the reason Mr. Walsh was not appointed was because he was not available by reason of his being in prison, or does he mean that the fact of Mr. Walsh's imprisonment carried with it discredit or dishonour?

*MR. MADDEN: The matter rests entirely with the Lord Lieutenant, and no doubt the Lord Lieutenant, in the exercise of his discretion, was of opinion that a gentleman who thought fit to break the laws of the land, and was undergoing punishment for so doing, was not a person who ought to be appointed. If the hon. Member had given me notice I would have brought the Papers down, but I know sufficient of the facts of Mr. Walsh's case to state that the offence for which Mr. Walsh was convicted was that of intimidation. The hon. and learned Member has spoken of prosecutions against newspapers, and I will accept his statement that there were 15 of such cases. Had notice been given me I would have come prepared with the details of the prosecutions. When the Amendment to the Address which raised the question of the administration of the law in Ireland was under discussion, I was prepared with the details of the several cases; and on that occasion I challenged hon. Members opposite to produce one single case in which a newspaper editor had, during the year which was under discussion, been convicted merely for publishing resolutions of suppressed branches of the National League.

MR. T. M. HEALY: You challenged that?

*MR. MADDEN: I distinctly threw out that challenge, and I repeat that a newspaper editor cannot do, through the pages of his newspaper, what an ordinary person cannot do by other means. A newspaper editor cannot indulge in intimidation any more than other persons; and if he uses the pages of his newspaper for the purpose of intimidation, he cannot protect himself by saying, "I merely published resolutions of suppressed branches of the National League." The hon. Member opposite said, in reply to my challenge, that there were heaps of such cases.

MR. E. HARRINGTON: Mr. Speaker, may I explain the matter to the hon. and learned Gentleman? If the Attorney General for Ireland is going into all these questions, I may not be able to enter upon the particulars; but I say, with regard to my own case, that I was never charged with anything other than publishing a resolution of a branch of the League. When, in 1878, I was for the first time convicted and sent to gaol it was for publishing a report of what was really directed to the diminution of crime, and in that case there was no charge proved against me but that of publishing. I hope the hon. and learned Gentleman will accept this and other answers to the challenge he has thrown out.

*Mr. MADDEN: If I were to give way now and allow hon. Gentlemen on the other side to reply to what I have just been saying I should have exhausted my right to speak. Hon. Gentlemen opposite say that newspaper proprietors have been imprisoned for publishing reports of speeches made at suppressed branches of the League, and there can be no doubt that that was an offence against the Act. What I stated was that if the House will review the proceedings of the past year, I challenge anyone to produce a case in which the conviction was for publishing a report of resolutions passed at a meeting of a suppressed branch, which were not of an intimidating character; and when I said this, hon. Members will remember that I then had before me all the cases in which proceedings have been taken, which could have been stated to the House either by myself, or by some other speaker in the debate. The challenge I thus threw down was taken up. Not having, however, received notice of this discussion, I was not prepared this evening with all the details; but I would refer to one case, and I think it may be taken as a typical instance of cases of this class. It was the case of Mr. M'Hugh, which came before County Court Judge Morris, and if hon. Members will read the Judgment given by the learned Judge in that case they will find there was ample justification for the course the Government take in relation to similar offences committed by proprietors of newspapers. In my opinion, there is no greater misconception on the part of hon. Members than to call this class of cases Press prosecutions, and to contend that those connected with newspapers may do what it is equally illegal to do by any other method of intimidation. A man cannot be allowed to do, by means of the Press, that which would be illegal if done in any other way. That is the specific principle on which these prosecutions have proceeded; they have not proceeded upon the mere publication of speeches made at a suppressed branch of the League. The hon. Gentleman opposite has said there are a considerable number of Crimes Act prisoners, and has suggested that if those prisoners object to exercise with the other prisoners they should be formed into a separate class by themselves in the prisons in which they are confined. I think the hon. Gentleman ought to have waited before bringing it up as an accusation against the Government, because he might have known that to-day, when a question was put to me on the point, I replied that the matter was one on which I would transmit a communication for the consideration of the Prisons Board in order that they might decide whether the request made is in accordance with the Prison Rules. But hon. Members are now assuming an unfavourable decision on the part of the Prisons Board in regard to a suggestion only made five hours ago.

Mr. J. O'CONNOR: The suggestion is one that has frequently been brought under the notice of the authorities. I have personally complained to Mr. Joyce, the Inspector of Prisons, on the subject.

*Mr. MADDEN: I do not doubt the statement of the hon. Gentleman. But the suggestion to which I referred was made to-day, and was founded on the number of prisoners in Tullamore Gaol at the present time. Then, on another point. The hon. and learned Gentleman opposite suggested that proceedings under the Crimes Act were taken for the purpose of ousting the jurisdiction of the ordinary magistrates, and stated that the Lord Chancellor of Ireland had acted illegally in removing Mr. Byrne, as was shown by the recent decision to which the hon. and learned Gentleman referred.

Mr. T. M. HEALY: I never said the Lord Chancellor had acted illegally. I was called upon for an explanation, and I said the action taken was most invidious and contrary to the English practice. What I pointed out was that in England it has been decided that every magistrate can act where he likes in his own county, while the Lord Chancellor struck Mr. Byrne off the Commission of the Peace for going outside his own Petty Sessions.

*Mr. MADDEN: I accept the statement of the hon. and learned Gentleman that he did not mean to imply that the Lord Chancellor had acted illegally; but when he referred to the recent English decision I concluded that he thought there was some inconsistency between what was done by the Lord Chancellor and the decision of the English Court. I am aware of the decision to which the hon. and learned Gentleman refers, and it amounted to this—that the action of a

magistrate in any portion of his own county is perfectly legal, but that does not touch the question with which the Lord Chancellor had to deal, and which was this: Mr. Byrne, in the opinion of the Lord Chancellor, who had all the facts before him, was in the habit of going outside the Petty Sessions District for which he was originally appointed, to other Petty Sessional Districts in cases of a peculiar and special character. Everybody knowing anything of such matters in Ireland is aware that in that country the magistrates are appointed to certain definite Petty Sessional Districts, and it is a recognised custom that they shall confine themselves to the districts to which they are assigned. The case that came before the Lord Chancellor is not analogous to the case that came before the English Law Courts. It was a question of the propriety of a gentleman appointed to a certain Petty Sessional District going outside that district.

MR. T. M. HEALY: He only did it once.

*MR. MADDEN: I think the hon. and learned Gentleman is in error. The case was one in which it appeared that Mr. Byrne habitually went outside his district for the purpose of entertaining cases of a certain character.

MR. T. M. HEALY: Why are the Resident Magistrates allowed to do it?

*MR. MADDEN: They are not appointed for Petty Sessions Districts at all. No Resident Magistrate confines himself to a single Petty Sessional District. What is the meaning of the interruption? The Resident Magistrate is paid by the State, the reason for his appointment being that he shall be available for five, six, eight, or ten districts, and be able to assist the local magistrates as a trained expert. The hon. and learned Member referred to the case of Mr. Slattery. I do not know whether he was counsel in the case; but the legality of the sentence was brought before one of the Superior Courts—the Court of Exchequer I think—and a decision was given in favour of legality. The hon. and learned Gentleman's imagination is very fertile in the suggestion of motives. His first suggestion was that the motive of the proceeding in this case was to oust the jurisdiction of the local Justices, and a second suggestion is, that it was to diminish the number of cases appearing as convictions. Well, I have not the slightest doubt that this case will appear as a conviction under the Crimes Act, so that this argument of the hon. and learned Member will fall to the ground. He said it was an illegal conviction, because it was not followed by punishment; and he appealed to me and my learned Colleague, the English Attorney General, who happened to be sitting by my side, whether such a sentence was or was not punishable. The conviction was followed up by the imposition of a sentence which, though not necessarily punitive, may involve punishment, and there is no difference of opinion between me and my learned Colleagues on the point—not the slightest. The Courts have held that it is not punitive, but that is another question, because punishment need not follow. If the person ordered to find security to be of good behaviour gives that security, no punishment need follow; but it is a sentence which may, and will, involve punishment if the necessary security is not given. I have the authority of my hon. and learned Friend for saying that it is a very customary addition to a conviction in this country to require a person to give bail. The point raised in the "Queen *v.* Harkin" was whether the full amount of sentence having been inflicted under the Crimes Act it was possible, in addition, to order the defendant to find sureties for good behaviour, and it was decided to be legal so to do. Both in England and in Ireland where there is no term of punishment inflicted it is not only legal, but not at all contrary to usage to order security to be found for good behaviour. He referred to an answer I gave him, and to the best of my recollection that answer referred to the existence of an appeal in cases where

orders are made to find sureties to be of good behaviour under the Act of Edward III. He referred me to a case which at the time I had not read, and what answer I gave I do not know. I may have said my knowledge of that particular case was defective; but I said that if, under the Act of Edward III., there was an excess of jurisdiction, a writ of *habeas corpus*, or of *certiorari*, would lie. I stated then that an order of the kind is not within he Appeal Sections of the Petty Sessions Act. I received no notice of the case of Kelly, and I have not the papers to refer to; but when the case was brought before me I looked carefully into the matter, and satisfied myself that Kelly had been furnished by the Crown Solicitor with all the particulars to which he was by law entitled; and if the hon. Gentleman brings up this case on the Vote for the Irish Attorney General's salary I think I shall be able to satisfy hon. Members that the particulars which were furnished to Kelly were the full particulars which a man in similar circumstances would be furnished with in England. A specific charge was made in reference to a man named Leahy. I do not know if the hon. and learned Member was present at question time, when I said that the man was not arrested for the offence which the hon. Gentleman mentioned. He appears to have been asked to give his name before the Resident Magistrate; he did so, and was discharged. Although, perhaps, I have not been able to give a perfectly detailed answer to charges sprung upon me at a moment's notice, it is probable that I have been able to deal with most of the cases, because they are old friends, and have been brought forward over and over again for the reason that hon. Members find them to be the only topics ready to their hands.

MR. T. M. HEALY: The cases only occurred this year.

*MR. MADDEN: With reference to the more important prosecutions, all I can say is that when I had the facts before me and was in a position to give a reply in detail, I threw out a challenge to hon. Members, which was never taken up.

(9.12.) MR. GILL (Louth, S.): The right hon. and learned Gentleman complains of our having sprung these charges upon him without notice. Surely, as Attorney General for Ireland, it is his business quite as much as it is ours to be familiar with the law as it is administered in Ireland. He has no right to complain that we take advantage of every opportunity that presents itself for bringing these cases before the House, this House being the Supreme Court of Appeal in regard to matters affecting Irish Administration. The right hon. and learned Gentleman, in spite of his protest, has shown himself familiar with these cases, and he says they are all old friends which have been threshed out over and over again. As to that I may say that almost every case mentioned here to-night has occurred either during the present year or within the past few months. Take the case of Mr. Slattery. At this very moment—a quarter past 9—that gentleman is locked in a cell against his will, and is enduring all the disabilities and discomforts of imprisonment. Is that a stale case? To call such a case of flagrant mal-administration in Ireland an "old friend" is to assume that the House has grown so case-hardened at mal-administration and tyranny, that a thing must present startling and novel features before it can receive attention. Though I do not profess to be able to deal with the case of Mr. Slattery from a legal point of view, I can understand the comparison instituted between this case in Ireland and similar cases which are alleged to have taken place in England. I know that whatever has taken place of this kind in England has had statutable authority, whereas no such authority has existed in Ireland. The right hon. and learned Gentleman tells us that Mr. Slattery is not undergoing punishment.

*MR. MADDEN: I did not say that.

MR. GILL: He said, at any rate, that the verdict was not punitive. Not punitive when the only way a defendant can escape from imprisonment is by inflicting on himself an intolerable stigma—by writing himself down a

blackguard and man of bad character? It would seem, from the right hon. Gentleman's statement, as though Mr. Slattery remains in gaol through some perverse inclination for practical joking on his part. Mr Slattery is deprived of his liberty, though as much entitled to it as any subject of Her Majesty's, and it is, therefore, nonsense to talk about the verdict not being punitive. The right hon. Gentleman has answered the very formidable indictment that was brought against the Irish Administration in regard to prosecutions by saying that we have made misleading statements with regard to the cases. Well, I submit that the first fact we have to consider in regard to these Press prosecutions in Ireland is that for exercising a right which is free to every editor and publisher of a newspaper in England, editors and publishers in Ireland have, ever since the present Chief Secretary came into power, been under a growing and atrocious persecution. Take the case of Mr. Walsh, the Mayor of Wexford, who has only been out of prison a few days. What was his offence? The right hon. and learned Gentleman said it was not for publishing a report of the meeting of the National League. But the answer to that is plainly and simply that it was. The right hon. and learned Gentleman justifies his answer by saying that the resolution of the League which was published was of an intimidatory character. What are the facts? An Irish tenant—a poor widow—is evicted from a farm, unjustly evicted, as the public opinion of the whole locality declared. She leaves the farm, which remains idle. After she has been out a certain time, she enters into negotiations for the sale of her tenant right to some friendly person—and if anything is certain in Ireland, it is that by the law passed 10 years ago the interest of a tenant in a holding is greater than that of the landlord. Whilst she is carrying on this negotiation, a land grabber—that is to say a mean, plundering, pestilential wretch—comes and seeks to underbid her with the landlord—seeks to rob her of her tenant-right. Very well, the poor widow goes to the local branch of the National League and says—

"My farm is being stolen from me—I am being robbed of my tenant-right; will you lend me your protection?"

The League pass a resolution declaring that they regard the farm as one from which the tenant has been unjustly evicted, and will so regard it until a tenant is in occupation who has the good will of the evicted tenant, and for publishing that resolution in his paper the Mayor of Wexford, the editor of *The Wexford People*, has undergone imprisonment. What nonsense and absurdity and humbug it is to come down here and tell us that it is not for publishing a resolution of the League, but for gross intimidation of the worthiest citizens of the Empire, that this man was put into gaol, and to tell us that this is not interference with the liberty of the Press. Is there a newspaper in England which would not publish such a resolution as that to which I have referred? Take the case of Henry O'Connor. The right hon. and learned Gentleman threw out a challenge. He asked us to name a case in which, within the past year an editor has been put into gaol for publishing a resolution of the National League. There was a quibble behind that. When his Chief entered upon what he has found to be the hopeless task of suppressing the National League he made it an offence to publish a resolution of what he was pleased to call "a suppressed branch" of the League. He held such publication an act of contumacy, and prosecuted the editors and publishers—though he has since given up that method of persecution, finding it utterly impossible to effect his purpose, all the newspapers publishing columns and columns of the reports of branches of the League. That kind of prosecution has ceased, and I make the Chief Secretary a present of any consolation he may have derived from it. Mr. O'Connor's offence was this: It appears that a tenant of the Duke of Leinster was evicted and was in negotiation for the sale of his tenant-right to a friendly successor, when a land grabber came in and endeavoured to steal the tenant-right. The *Leinster Leader* was instrumental in giving expression to the healthy public opinion of the county upon that most nefarious transaction, so

dangerous to the public peace and social order of the locality. Mr. O'Connor having published a resolution on the matter, was prosecuted by the Chief Secretary—and here I must mention a circumstance which speaks volumes. The agent of the Duke of Leinster attended in Court, was openly sworn, and declared that he had nothing whatever to do with the prosecution, and desired to wash his hands of it altogether, having no sympathy with it, and that there was no crime in the district where the prosecutions took place. Whatever disturbance there was was due to the mischievous interference of the minions of the Chief Secretary, who entered into league with the land grabbers and emergency men and came between the landlord and his tenants without the slightest desire on their part. Mr. O'Connor was prosecuted for publishing certain matter in the *Leinster Leader*, but there was no evidence whatever to connect him with the paper. The magistrates refused to state a case when the counsel for Mr. O'Connor applied. The matter was brought before the Superior Courts and the magistrates were compelled to state a case, and then, when the facts were considered by the higher tribunal, the case against Mr. O'Connor was held to be bad, and that gentleman was discharged from prison. But Mr. O'Connor had to spend four days in goal, during which time he was not only treated as a common criminal, but put on punishment diet because he refused to put on the prison clothes and exercise with criminals. In what way do the Government propose to compensate this gentleman for the atrocious punishment they have inflicted on him and the immense expense they have compelled him to incur? These two cases are quite sufficient to answer the allegations of the right hon. and learned Gentleman. As to the treatment of prisoners, the right hon. Gentleman gave a curious answer to the allegations made. He said he could do nothing in the matter, but that he has forwarded the complaints made in the House to the Prisons Board, who will, no doubt, give them their attention. That is the justification for our conduct in the House. Granted for a moment that these men are ill-treated. The right hon. and learned Gentleman does not deny it.

*Mr. MADDEN: I said nothing of the kind. What I said was, that there were a certain number of Crimes Act prisoners in Tullamore Gaol. It was suggested that they might be treated as a separate class, but that is a suggestion which is made for the first time to-day. I added that it was a little premature to conclude that an inquiry had been refused by the Prisons Board.

Mr. GILL: The right hon. and learned Gentleman does not deny that our complaint may be justified. My contention is that those who are directly responsible for the management of prisons in Ireland should not wait until we make complaints upon such chance opportunities as we get in the House, but should so administer the system as to remove any cause of complaint. What will be the state of the prisons in Ireland when Parliament is not sitting if all these things are allowed to take place within the gaols, when the attention of the Chief Secretary and his Colleagues can be gagged on the subject? Luckily the House was sitting at such time as enabled Members to bring forward the case of the convict Daly, who is now in Chatham Prison. When the question had been sufficiently agitated in the House we elicited the truth, that Daly had actually been brought to the jaws of death by an overdose of belladonna, which the unfortunate man believed was maliciously administered to him. It is admitted by the Government that the man was within an ace of being poisoned. The charge was denied when first made, but now the Home Secretary has seen fit to institute an investigation. I asked a question the other evening with regard to the case of a man named McDermott, a tenant on the Clanricarde Estate, who is at present in gaol. Mr. McDermott has for the past nine weeks been in prison. What for? He was brought before a Secret Inquiry Court, held under the Explosives Act, and asked certain questions. Mr. McDermott has

replied that he will answer any question put to him in open Court; and because he declines to be cross-examined in camera by a Secret Court and without having the aid of a solicitor, he has been sent back to gaol week after week for the past eight weeks. Every week he has been brought from Galway, a distance of 40 miles, under a strong escort of police, a little expedition which must cost the British taxpayer a pretty penny. I hold that this is an atrocious proceeding. When I tell the House the circumstances under which it arises, its wickedness and wantonness will appear greater still. Mr. McDermott has the misfortune of being a tenant of Lord Clanricarde, a person of somewhat discreditable memory. He is a gentleman of considerable substance in the locality—a large mill-owner and a large farmer—and he was evicted because he stood in with the poorer tenants on the estate. On the day of his eviction some sub-tenants of his were evicted. Several empty houses had to be entered to complete the formality of eviction, and the police reported that in one of these places they found what they have been pleased to describe as an infernal machine. The people of the locality believe that this is a bogus transaction from beginning to end; that the story of the finding of the machine is a lie got up in the interest of Lord Clanricarde, his agent, and the police, who get extra pay for their jaunts from Galway, and in the interest of the Removable Magistrates of the locality, who flourish upon this state of bogus crime, and in the interest, finally, of the Chief Secretary, who wants some excuse for the tyranny which he is carrying out in Ireland. In order to give the thing an air of reality, it was necessary to make a victim of somebody in the locality. Mr. McDermott is brought up, and because he will not answer questions in secret he is kept in Galway Gaol, and brought before the Removables week after week. I might, if I chose, give numerous cases of this kind, cases in which, at the present moment, men are suffering punishment for no reason whatsoever except that the law in Ireland is administered in a most tyrannical spirit by the minions of the right hon. Gentleman. There is only one other matter I will make special reference to, and I refer to it because it exemplifies the spirit in which the law is administered—I mean the manner in which the law is placed at the disposal of emergency men whenever these ruffians chose to break it. In Tipperary, in Cork, in Kildare, and in numerous parts of Ireland, these emergency men live a life of debauchery and drunkenness. They go about drunk in the day and night-time with fire-arms, which they fire in the air. They assault respectable people as they pass, and when they happen to be brought into Court on a summons by one of the persons they have assaulted, the Removable Magistrate who, without compunction, commits a Member of Parliament to prison for three months, with hard labour, will display the greatest possible tenderness towards these gentlemen, and let them off even without a fine. I might cite dozens of such cases, but I will only refer to one. That is the case in which a number of emergency men, accompanied by a body of police, deliberately entered a chapel in County Cork simply and solely for the purpose of creating a disturbance and breaking the peace of the district. I may be answered that emergency men have as much right to go into a chapel as anyone else. I will answer that in the words of the Recorder of Cork, who, when the subject was brought under his notice, declared that he was shocked to learn that a number of emergency men and police, who were Protestants, deliberately entered, in a most swaggering manner, a Catholic church during the most solemn part of the Catholic service, and sat down in the centre of the place, shaking their heels against the ground, and making every possible demonstration they could to aggravate the people. Such is the state of things upon every one of the estates upon which the right hon. Gentleman, by his method of administering the law in the interest of the landlord, keeps up a state of war. It is a state of things which brings us back to the days of barbarism. That such a state of things can exist in this, the last quarter of the 19th century, and under the enlightened British Constitution, is, perhaps, the most terrible condemnation of the Government which is entrusted with the guardianship of that Constitution, and under whose ægis such a condition

of corruption, mal-administration, and tyranny has been allowed to flourish.

*(9.45.) MR. H. J. WILSON (Yorkshire, Holmfirth): The case of Mr. Slattery has been several times referred to, and no doubt it presents features of considerable importance, but with which I do not propose to deal. A few weeks ago a question was addressed to the Chief Secretary with reference to the matter. One of the complaints conveyed in the question was that Mr. Slattery was continually followed about by the police, even when he attended divine worship. I do not undertake to quote the exact words of the Chief Secretary; but it appeared to me the right hon. Gentleman intended to convey to the House and the country the impression that Mr. Slattery was not followed by the police to chapel; that if the police went there they went for the purpose of attending worship themselves, and not for the purpose of following Mr. Slattery. The Chief Secretary would really have us believe that the police would not do such a thing, and that he would not think of sanctioning it. I want to mention in this connection what happened to myself just about this time last year in Donegal. I was at the little hamlet of Middleton, in the parish of Gweedore, and the hotel at which I stayed was opposite the barracks. In those barracks there had been collected together during the Saturday night 50 or 60 of the police, because they thought, I suppose, that I was going to do something dangerous on the Sunday. The people passed down to mass in the morning. The police were in the barracks. When the time came I moved off to the Protestant Church, and, whereas, not a single one of the Catholic policemen was allowed to go to Mass that day, three men were sent after me to the Protestant Church at Bunbeg. I want to know whether any reasonable person will believe the statement calmly thrown out to us by the Chief Secretary that the police would never think of following Mr. Slattery, when in my case 40 or 50 policemen were kept in the barracks and not allowed to go to Mass, whereas three men—all the Protestants I suppose they could muster—were told off to walk behind me to the little Protestant Church. This is only one of the cases which are constantly coming forward, and some of which have come under my own notice. These are cases as to which I scarcely know what language I could use that would be Parliamentary, but these are cases in which absolutely false representations are conveyed by the Chief Secretary. Without hesitation and without inquiry the right hon. Gentleman retails to us statements about Ireland which are gross and palpable misrepresentations of what is going on.

(9.50.) MR. J. O'CONNOR: I do not like to be personal, but more than once to-night I have thought of the possibility of the right hon. and learned Gentleman the Attorney General being elevated from the Government Bench to the vacant seat on the Irish Judicial Bench. I have very great respect for the right hon. and learned Gentleman, and I trust that if he does leave the House he will leave with the good character he has established, because if he continues to act as he has acted since he has been obliged to represent the Irish Government in this House I tremble for that character. The Attorney General's challenge has been taken up, and he has been severely worsted. I do not think he will care to refer to Press prosecutions again. I will not dwell upon the cases already cited, but I will turn to the case of Mr. O'Mahoney, a newspaper editor. I desire to call attention to the treatment to which Mr. O'Mahoney has been subjected since he was sent to Clonmel Prison. He has been removed from Clonmel, although he was consulting a local solicitor in the matter of a libel action he was bringing against a resident magistrate. It is difficult enough for any man engaged in litigation where the authorities are concerned, to carry it on successfully under

the most favourable circumstances; but in this case Mr. O'Mahoney was actually separated from his solicitor by a distance of 100 miles. That was a piece of meanness which only the Government of Dublin Castle and the Prisons Board could be capable of, and which, I am sure, the Attorney General will not seek to justify. Why was Mr. O'Mahoney removed from Clonmel? Was he not perfectly safe there? Are the officials not to be trusted? I have been three times in Clonmel Gaol, and I can guarantee it is a very secure prison. Were the Government anxious for the health of Mr. O'Mahoney? The situation of Clonmel Gaol is as calculated to ensure the health of the prisoners as that of any other gaol or the dozen of gaols that I have experience of. Are the officials at Clonmel less honest than those elsewhere? Was it not at Clonmel that Mr. William O'Brien was subjected to the barbarous treatment of having his hair cut and being held down by half-a-dozen warders by the order of the Governor, whom I have known for the past 10 or 12 years, and who has never been known to be anything but a faithful and diligent servant of the Crown? In every respect Clonmel Gaol is perfectly safe, and the officials are quite reliable, and therefore I say there could be no object in removing Mr. O'Mahoney to Tullamore except to put an obstacle in the way of his bringing a libel action against the resident magistrate. As to Mr. O'Mahoney's treatment in Tullamore we asked questions yesterday and to-day. In my question to-day I used the phrase "silent system." The Attorney General evaded the question by saying there was no such system. It was an evasion merely; the phrase I should have used was the solitary system. Men imprisoned in Ireland under the Coercion Act are reduced to this solitary system. Why is this? I know it from more than one governor of a prison in Ireland that the solitary system is the system to which the most incorrigible convicts are subjected. The men who are not amenable to prison discipline, even in such convict prisons as Spike Island, are brought up to Cork prison and elsewhere where they can be put into solitary confinement, and I have been assured by Governors of prisons that they never knew a case in which the solitary system failed to reduce the most incorrigible ruffian to discipline. And this is the system to which respectable men in Ireland are being reduced. I know all about it, because it was first introduced with regard to myself, and my hon. friend and colleague the Mayor of Clonmel, and others. We were in Clonmel prison last year, and for the first week we were allowed to take exercise for two hours every day in company, marching five or six yards apart. For a week this state of things prevailed and then we were removed to famous Tullamore, my hon. Friend the Member for Mid Cork being sent to Galway. For the first day at Tullamore I and the Mayor of Clonmel were allowed to take exercise together, holding no intercourse, and with us were associated the other men in the prison who were of exactly the same class as ourselves; but the next day came an order from the Prisons Board and we were separated. We were shown into a yard at different hours and allowed to walk about or beat our heads against the wall, as we liked, and so we took our exercise, and we saw no human being but Governor or warders for the rest of the time. I communicated with the Prisons Board and I complained to the inspector, but I got no satisfaction. A question put in this House by my hon. Friend the Member for West Belfast obtained only an evasive and equivocal answer. Why was this? A short time before I had had the honour of introducing a Bill in this House with the object of altering the law as to the treatment of prisoners in Ireland incarcerated under the Coercion Act. During the debate the Chief Secretary said no doubt the treatment of prisoners in Ireland had affected the minds of the English people; he admitted the fact and stated he would issue a Commission of Inquiry; he did not wait for the Report, he communicated with the Prisons Board, and they altered the rules to meet our cases, altered the rules, under which the Governor deemed he was compelled to shave our heads, to make us wear prison dress, associate with criminals, and do menial offices. These rules were given up reluctantly because the opinion of this country was against them. But with the meanness that distinguishes his rule the

right hon. Gentleman turned these concessions against us by mal-administration, and by straining of the law reduced us to a worse position, and to a level with incorrigible ruffians subjected to solitary confinement. That is the state of things at present existing in Tullamore. Notwithstanding the assertion of the Attorney General for Ireland, this is not the first time the question has been raised. It was raised in the House last year. Questions were addressed to the Prisons Board, and from my solitary cell I made a report to the Prison Inspector. The Government of Dublin Castle do this wrong, are backed by the Treasury Bench, and supported by their followers here. The rules and regulations are strained against prisoners of our class. You say we are not a class, but I maintain the alterations in the rules made in our regard constituted us a class, and no amount of evasion can get over that. I have said the rules are strained, and will give an instance on my own account. Last year the Judges of the Special Commission made an order that I should be supplied with a newspaper containing a report of the proceedings before the Commission, and at my expense the paper was supplied. But the Governor cut out every particle of the newspaper that did not deal with the Commission. There is not an Englishman to whom I have mentioned this circumstance who has not expressed indignation at the mean and contemptible proceeding. Not only did the Governor of Tullamore Prison do this, but where other matter appeared on the back of the sheet containing the Report he pasted over it a sheet of brown paper. One day he paid me a visit, accompanied by Dr. Moorehead, the well known Visiting Justice, without whose humane visits to that prison many more wrongs and much more suffering would be inflicted on the unfortunate prisoners, the knowledge of which would never reach the outer world. I exhibited this specimen of malignant spite, and the Governor said he was acting under orders from the Prisons Board. I said I had had experience of 15 Governors of prisons, and I said I did not know another man who, of his own volition, would do such a shabby, mean, contemptible thing, and he threatened me with punishment for insulting words used to himself. Prisoners are treated in Ireland as tigers are treated in the Zoological Gardens. They are turned out of their cells at different hours into a yard under the eyes of warders. But I contend the Prisons Board must have some mean and contemptible motive in this, for obviously there would be an advantage in prisoners taking exercise together. Walking five or six yards apart it is impossible to hold conversation, and one set of warders could watch 20 prisoners as well as they could watch one. The object is persecution of a mean and malignant character, and it is instigated and maintained by the Chief Secretary, who is not in his place to night. I have another matter to refer to, and upon which I addressed a question to the Attorney General for Ireland yesterday. I stated at the beginning of my observations that it would be well for the Attorney General to escape from this House with his character for honesty and straightforwardness, and I say the answer he gave me yesterday was not straightforward. He is obliged to have filtered through him information that is not true and that comes from an untrue source. I asked the right hon. Gentleman as to an assault committed by the police upon a constituent of mine. This man was in the town of Tipperary, and had been only a few moments out of his house and was walking down the street with two friends to whom he was beginning to speak on a matter of business. He had scarcely spoken when two or three policemen crossed the road and ordered the friends to move on. They did move on, and while moving my constituent says—

> "I happened to be nearest the constables and suddenly I received from behind a violent blow from a fist in the neck. I was knocked down in the street, and on rising I was also kicked. I told the police they were after committing an assault upon me."

In my question I asked the Attorney General for Ireland whether my constituent went to one police barrack and then to another, but in each the Police Authorities declined to give the names of the men who committed the assault; that he then went to the District Inspector, who declined to give the names, but at the same time offered to parade

the men; and this being done, my constituent (Mr. O'Brien) identified the men who assaulted him, and applied to the Resident Magistrate for a summons. Now, what was the answer of the Attorney General for Ireland? He said the facts in my question were not accurately represented, but he did nor deny the man had been assaulted. Why did the right hon. Gentleman evade my question; why did he not say whether there had been an assault or not? He simply said the facts were not as stated. Is that honest, is it fair, is it worthy of the right hon. Gentleman, is it the way in which he would act as between man and man? I say it is not. I say that he was the medium of giving false information from Dublin Castle to the House. He also said that the Resident Magistrate, Mr. Meldon, referred the applicant to another Resident Magistrate, Colonel Cadell, who, said the Attorney General, is a resident in the town, and probably would be conversant with the facts of the case. Now, that was not the question at all. Was it not Mr. Meldon's duty to consider the application for a summons; and if he did not give it, why did he refuse it? I say the whole answer to my question respecting Mr. O'Brien, the painter, my constituent in Tipperary, was an evasion, and not an honest way of treating a Member of this House. I telegraphed the right hon. Gentleman's answer to Mr. O'Brien, and a few hours ago I received a reply in which Mr. O'Brien says the account of the matter he gave is perfectly correct, and he is prepared to prove it on oath if necessary, and he further says that Mr. Meldon distinctly refused to grant the summons. The whole incident shows that the whole machinery of the law in Ireland is directed to the purpose of denying justice to the people, and in that course of conduct the Government are backed up by their learned and other defenders in this House. This question in regard to Mr. O'Brien will not be allowed to drop until I get satisfaction. These men shall be prosecuted, and Mr. Meldon shall give a summons if it is right he should do so; and if the Attorney General wishes to distinguish himself in an exceptional manner, let him compel Mr. Meldon to do his duty—that my constituent may obtain justice. There is another matter I have to refer to in regard to Tipperary. I put a question to the Attorney General as to the occupation of certain houses in Tipperary by the police, and I was able to furnish him with some information. He said there are two houses in the town occupied by the police; but I am able to tell him there are five houses so tenanted, and the Bridewell and the late Town Hall are also so occupied. What is the object of this? The barrack is a very large house capable of containing double the number of police required for maintaining the peace of Tipperary. Why are these houses of evicted tenants occupied by the police at a rent of £70 a year, and under what conditions? We have good reason for the suspicion that these houses have been taken by the authorities in order to assist the hon. Member for South Hunts (Mr. Smith-Barry) in carrying to success his project for evicting the whole town of Tipperary. I trust at some future time the Attorney General will give me some more specific information on this subject. These are the only matters upon which I intend to trouble the House. I must say that the Government are behaving in a manner in Tipperary and elsewhere that it is very hard for honest men to defend in this House. If the Secretary for War had been present I had intended to advert to the use of soldiers at evictions; but, in the absence of the right hon. Gentleman, I will not dwell upon that. I conclude my observations by an appeal to the Attorney General for Ireland that he will in future, in giving an answer, not give information that, without his intending it, perhaps, is misleading, and affords an opening for bringing a charge against him in the discharge of his duty. I hope he will not yield his judgment to the Chief Secretary, whose bitter hostility to our country has been shown in the administration of the Coercion Act, and who has written a page in the annals of our country by which his name will be transmitted in horror to posterity.

*(10.20.) MR. WEBB (Waterford, W.): We have been accused of, more or less,

trotting out subjects for the sake of occupying time, but indeed that is not the case. For myself, I feel the duty that is cast upon me of referring to subjects such as this, when opportunity offers. It is a hateful task to be brought here from Ireland; and I know it is not pleasant to many here. It would be much easier to fall in with the desire of the majority, but we put personal considerations aside and discharge our duty to our constitutents. Remember the position in which we find ourselves. Some 90 years ago, against our desire you took on yourselves the government of our country, and the duty of securing liberty and peaceful living in Ireland; but you cannot say you have been successful when we see the confusion and disorder in which Ireland now is. This debate has mainly arisen out of the imprisonment of Mr. Walsh, the Mayor of Wexford. Consider what would be the position of things if the Mayor of an English town were committed to prison against the opinion of 99 in every 100 of its inhabitants. Our towns are not so large as yours; but, relatively, Wexford is an important centre in Ireland, and the indignity inflicted upon the Mayor is an insult to the whole country. We would not have the spirit of men if we did not take every opportunity the forms of the House allow to protest against this. The right hon. and learned Gentleman says the matter is very simple—that the Mayor has broken the law of the land, and, therefore, he has been committed to prison; and I presume we are not to pity him. But an Irishman cannot think that the breaking of the law of the land is a sufficient reason for thinking badly of a man. Why, if we had not broken the law of the land, we would have been swept from our Island long ago. It was the law of the land once that we should not be educated. One of my earliest recollections as a lad arose out of my father's refusal to obey the law

Mr. Webb

—I saw his furniture seized and sold because he refused to pay tithe. At the present moment, some of the most important Institutions in Ireland, and which are doing the most good there—Catholic Institutions—are established in direct violation of the law of the land made at the time of Catholic emancipation. It is no slur upon the character of the Mayor of Wexford that he has broken the law of the land. It has been further advanced that, after all, it was not a Press conviction, but that this gentleman entered upon a course of intimidation; but there is something of special pleading in that. He published matter which a few years ago it was quite right and proper for any journal to publish, and there was no thought of prosecution for it. More than that, the Mayor of Wexford has been singled out for punishment; but there are plenty of newspapers publishing the same news and are not prosecuted. The truth is, that this Coercion Act is so monstrous that if carried out in its entirety it would break down of its own weight, and it is only by prosecuting a man here and there that a semblance of enforcing the Act can be kept up. I have been honoured with the friendship of the Mayor of Wexford for many years, he is one of the most inoffensive but quietly determined men I have ever known. His only desire is to be a good citizen, and to fulfil the duties of his station, and I cannot too much admire the spirit of this determined quiet man, shown in the course he has taken. Quite undeterred in the path of duty, he asserted what he considered his right. That is the character of the man, and when men of this character are prosecuted and imprisoned over and over again, I ask you what do you suppose to be the effect on the country at large? When the people of Wexford see the police dragging away their Mayor to prison, I marvel that society in the town hangs together at all. How can you expect the poor uneducated people to distinguish between right and wrong when they see the Mayor whom they all respect dragged off to prison; they sympathise with him, and how should they refuse their sympathy to a criminal carried off in like circumstances. That is at the bottom of what we

deplore so much—the rooted dislike of law that exists all over the country. What we desire is to bring the law and the feeling of the people into accord. We desire to see the people peaceable and law abiding, and not engaged in an interminable struggle bad for us and bad for you.

(10.30.) Mr. BLANE (Armagh, S.) The reason for my rising is to call attention to a very aggravated case of assault by the police to which I have before referred, at Loughrea, County Armagh. A sergeant and two men of the Royal Irish Constabulary came down with breechloaders, called on the fishermen to come and land, and because they could not do so immediately one of the policemen fired on them and endangered their lives. But the constabulary were not satisfied with that, for they took away from these Armagh fishermen the fish which were found in the boat. Their only remedy was to go before a magistrate and complain. An order was issued for the arrest of the policemen. How was it executed? Had it been a warrant against a Member of Parliament charged not with felony but with an offence under the Coercion Act, he would have been subjected to every indignity; but these constables were simply formally touched upon the shoulder and allowed to go about their business. I was not arrested in that way. I was arrested with the aid of the 5th Dragoon Guards, the 8th King's Rifles, and three companies of Engineers. But then I was charged with misdemeanour and not with felony. To return, however, to the case of these poor fishermen. After it came to our knowledge I urged on the Government and on this House the duty of prosecuting the constables. But the Sessional Crown Solicitor for County Armagh did not attend to prosecute; the fishermen were left to prosecute themselves, while the Crown appointed a solicitor to defend the police. Consequently, the charge was not upheld. Then a prosecution for perjury was brought against the fishermen, and it was conducted by the Crown Solicitor, but the prosecution broke down although the venue was changed. This shows bad faith on the part of the Government. Would they have dared to act in that way if three or four Thames policemen had fired on a boat? No, they would have been dismissed the force. In this case a hole was found in the boat, and it was admitted that two cartridges were missing from the pouch of the constable. If a policeman in England had acted in such a manner he would have been liable to very severe punishment. The poor fishermen will receive no recompense for the tremendous trouble and expense to which they have been put. I say that this was a blackguardly and scandalous proceeding, and it shows that if any of the Irish people complain of the action of the constabulary the first thing the authorities do is to institute a prosecution against them. There is another matter to which I have to refer. I desire to call attention to the wanton dismissal of the Rev. John Dogherty from his office of chaplain to Londonderry Prison. At the time the hon. Member for Camborne was confined in the prison, the Government suspected that the rev. gentleman had some knowledge of certain communications which found their way outside the prison and appeared in the newspapers, although there was nothing to prove that he had any concern in the matter. The rev. gentleman was not accused of breaking any rules or of any misconduct, but he was dismissed merely because he would not promise generally to answer the questions of Inspector Joyce. As a priest he could not have made the promise, because he enjoyed the confidence of his flock and could not betray it. We do not forget that the hon. Member for Camborne was put in prison for giving a loaf of bread to a starving family in Donegal, and this was the action of a humane Government, which will support a public subscription for the relief of sufferers by a famine in

China. I have brought these questions forward simply as a matter of duty. I have long since despaired of getting any redress from the Treasury Bench, who seem to be anxious for the maintenance of every abuse and resistance to every reform.

(10.47.) DR. TANNER: I think that some responsible Members of Her Majesty's Government, who are attached to the Irish Office, might have remained in their places and at least have made a show of decency by listening to the complaints we are making from these Benches. They might have made some endeavour to refute the aspersions which are being thrown upon their system of administration. In their absence we might have expected some attention from the right hon. Gentleman the Home Secretary, whose sponsors in the political arena were members of the Fenian Organisation. But the truth is, that right hon. Gentlemen opposite know that the country will give them their quietus at the next election, for every bye election is going against them. I think we have reason to be proud of the manner in which the Irish people are behaving under your scandalous and aggravating system of Government. Their patience is due to the fact that they have confidence in the future—more confidence than have right hon. Gentlemen opposite. If any other Government had received such repeated slaps in the face as this one has, it would have consulted its honour and dignity by appealing to the constituencies. But they do not dare to do that. We have attacked the Irish Administration on every point. I have personally frequently complimented the Attorney General for Ireland on the nice way in which he answers questions; and if other members of the Government acted in a like manner the business of the House would go on much more smoothly and calmly. Now, since last Session the Government have appointed to one of the highest positions on the Irish Bench Serjeant Peter O'Brien, a gentleman whose sole distinction is that, being a Catholic, he went about the country and deliberately packed juries with Protestants—and hostile Protestants—in order to carry a verdict. I protest against the way in which the Irish Judicial Bench is packed from time to time, no matter what Government happens to be in power, with men who are in this way rewarded for their political services, not because they are lawyers of erudition and learning. I hope the Attorney General for Ireland will reply to what I am saying on this matter before the Irish Bench gets another addition in the person of the right hon. Gentleman. I shall never forget that on one occasion Mr. Peter O'Brien came into the Cork County Club, of which I myself was then a member, with a jury list in his hand, and asked me whether certain people were Catholics or Protestants, and whether they could be relied upon to give a verdict. I know that Mr. Peter O'Brien acted in that manner again and again; I could give the names of gentlemen whom he thus addressed. I cannot help deploring the appointment to the Judicial Bench of people of this description; I say it is a disgraceful page in the history of our country. I hope the House will excuse my entering into this matter. There is yet another subject which I will try to bring under the notice of the right hon. Gentleman. We have for some time been hearing of the dissolution of various Boards of Guardians, and I am afraid that the method pursued in the dissolution of the Dungarvan and Ballinasloe Boards can hardly be justified even by the right hon. Gentleman. The Attorney General for Ireland has asked us to speak, not of matters of ancient history, but of more recent occurrences; therefore, I wish to make the House acquainted with the mode adopted in the dissolution of the Cork Board of Guardians. Hon. Gentlemen on both sides are acquainted with the fact that the Boards of Guardians in Ireland are composed of two classes, namely, elected members and *ex officio* members. The *ex officio* Guardians, as a matter of fact, never attend the Board meetings unless it is to perpetrate some job, after which they invariably disap-

pear, and do not return until another job has to be accomplished. I was elected on the Cork Board some weeks ago—I must say to my considerable chagrin—because being a Member of Parliament it is impossible for me to fulfil adequately any other position the people of my country impose upon me. Although I happen to be an Irish Protestant the ratepayers have elected me on several occasions. Being so elected, I have endeavoured to attend every meeting of the Board at which I could possibly be present. I find on reading the history of the Cork Board that not many years ago, when the Conservatives had it all their own way, they, from time to time, passed resolutions of confidence or the reverse in relation to political matters that were prominently brought before them. About a year and a half ago, I think, the present Chief Secretary to the Lord Lieutenant of Ireland is reported to have said that the country gentlemen in Ireland were not doing their duty. He stirred them up with a long pole, desiring to stir them into greater activity. That was perfectly fair and square; and speaking, as I believe, the opinion of the whole of the Irish Party, I may say that we take no exception to antagonists taking an honourable method of defending what they conceive to be their own rights. But what happened in this case? We defeated our opponents time after time. We were always present. They had too many amusements to attend to—very much in the same way as hon. Members who have preferred their hunting engagements to voting for the Amendment of the right hon. Gentleman (Sir George Trevelyan) to-night. Well, we were enabled to carry resolutions which we proposed time after time. There was amongst us a tenant farmer's representative who was highly esteemed by the Board, and who was one of the most intelligent and respectable gentlemen in the County of Cork, Mr. Hearne. He was Chairman of the Board and received the resolutions which we proposed; but our opponents managed eventually to pass a resolution removing that gentleman from the chair and putting in some member of their own party, who would not permit the Irish Nationalists to carry out the wishes of the people. This was only done after a great deal of whipping and assembling of their forces. The gentleman whom they put in the place of our chairman was only carried by a majority of 3; but at the very next meeting after this had been accomplished, his supporters being scattered all over the country, the Chairman was not supported. In saying this, I only wish to press upon the House the fact that those gentlemen were determined not to do the work themselves, but to throw the whole onus and responsibility on the elected Guardians, except in cases where for party purposes it suited their own convenience to attend the Board meetings. When Mr. Young came to be appointed to the chair he was recognised as a gentleman of some popularity, and the reductions which he made in the rents of his tenants, consequent on the demands under the Plan of Campaign on the Ponsonby Estate, showed that he was a fairly good landlord. Therefore when he took the position of Chairman nothing was attempted to be done except the real business of the Board; but when I was put in gaol on the 2nd May last year—I being then a member of the Board—the majority of the members then present thought they might be allowed to pass a vote of condolence with me in consequence of the methods which had been pursued against me, but Mr. Young refused to accept the proposal. Upon this the Home Rule and Liberal Members at once set about doing what the Tory Members had done in times past, and by one means or another succeeded in passing the vote. At the end of two months another resolution was proposed and agreed to. In fact, three resolutions were carried, and on the third occasion we had a strong whip made by the Conservatives; every method of jeering and insult being brought to bear against us by our opponents on the other side of the table. The Irish Nationalists were not made of the kind of stuff which would enable them to submit to gratuitous insults, be it from whom it might, and we endeavoured to pay them back in their own coin. I myself made use of very strong expressions—personal expressions—but, at the same time, there was no expression I then used which was not strictly the truth. What was the result? The Government, or their Irish advisers,

who had been hanging fire for a considerable period, all at once woke up and determined to make an example of the Cork Board. This they did in a manner which I then stigmatised strongly enough; but of which I will say that it was mean, cowardly, and low. They determined to do away with the Cork Board of Guardians and to raise a turmoil in the County of Cork by oppressing the poor of that district to the very uttermost. During the past few weeks a number of questions have been put upon this subject in this House, and hon. Members are enabled to understand the method which was then pursued by the Government. Well, when the Vice Guardians were appointed in the place of the regular Board, one of the first things they did was to apply for increased salaries—a very reasonable thing, of course, for Tory Guardians to do. We know that there are large numbers of these salaried gentlemen holding similar positions, and that all they care for is not the fulfilment of their duty as trustees on behalf of the public but the advancement of their own pecuniary interests. They attempted to cut down the relief of the poor, and when they could not do it in a big way, they did it in a small way by oppressing sundry of these unfortunate people. They were too respectable to go into the Union, and they cut them down 6d. or 1s. a week; and they put pressure enough upon them to make these poor people say: "Oh! what has been done in Cork!" It is the policy of the Government to throw the odium of their conduct upon the shoulders of others, if they can. Mr. Speaker, the way those gentlemen have behaved in Cork carries with it the condemnation of all right thinking people. Meeting after meeting, presided over by the Mayor, has been held in the City of Cork, and the High Sheriff, and other gentlemen of high position, have brought accusations forward; and we, as representatives, bring the matters up in the House of Commons, only, however, to meet with a mute display on the part of Her Majesty's advisers. This treatment of the poor in Ireland is a subject of major importance. There are other topics on which I could inform the House, if I were not diffident about detaining it—notably the conduct of the police and the behaviour of the magistrates. I could place before the House the criminal behaviour of another magistrate who was employed in the County of Cork and who was kicked out of the house in consequence of his criminal behaviour in that house. But as I have not all the facts of the case, I shall defer it until I have every point established. Then, as I did in the case of Mr. O'Neill Segrave, I shall bring it before the House. I know when I brought that case forward that I was refused attention again and again, until at the end of the Autumn Session I pressed the matter home and received a definite response from the Chief Secretary. The case of the gentleman, who was once a friend of mine, and a Deputy Lieutenant in the County Cork, is this: he thought he might act as he chose, forthwith, because of the attitude taken by the Chief Secretary to the poor people of Ireland. The gentleman to whom I refer, literally fired twice at an unfortunate tenant who was taking a short cut across one of his fields. He first used a villainous expression to him, and said—"What are you doing here? I will shoot you." He then raised his gun, and the man said—"For goodness sake don't fire, Captain Rhys." He took deliberate aim and fired twice, hitting the unfortunate man twice. This is the system which is obtaining in Ireland. There is to be no law for the poor. Consideration is to be given to the rich. Mr. Speaker, that method of governing our country is deserving just condemnation on every side. I know it is useless to address Her Majesty's Government here, but outside, the nation, with its countless toilers and workers, is listening and thinking, and there will be returned to this House, rest assured, Members who will remove from Ireland the load of oppression under which she has suffered, and will sweep away the indignities and injustices which have been heaped upon her.

*(11.23.) Mr. W. H. SMITH: Sir, I ask, with the permission of the House, that we may now go to business. I wish to remind the House that we, for three or four hours this evening, discussed the arrangements for so conducting our busi-

ness that we might despatch it in time to secure an adjournment, which would be most advantageous to the country and to hon. Members. Sir, we put down Supply in the hope that we might make some progress with it this evening. No notice of any kind was put upon the Paper that we were to have this discussion, and it has been brought on under circumstances and conditions which render it impossible for any one, after the Attorney General's reply, to answer the observations which have been made. I do not say that course is not within the right of hon. Members, but it is certainly most unusual that charges should be made without notice and under circumstances which do not permit of Ministers preparing and making their reply. I wish to ask the House to consider whether conversations of this character are wise, and are to be encouraged, and whether they are likely to lead to conclusions satisfactory to the House and to the interests of this great Empire? We have lost a day by the discussion of this evening. There are circumstances and conditions which I hope the House will take to heart, that we may be able during the next half hour to redeem a portion of the time which has been so largely wasted in the discussion of this evening. It is in the interests of justice, and in the interests of the House, that notice should be given of these charges and statements, and I venture to think that the whole House and the country will feel that we are justified in protesting against the waste of time, which is injurious to the reputation of this House, injurious to the country at large, and which, I trust, will not be repeated. I hope, Sir, you will now be permitted to leave the Chair.

Mr. GRAY rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

MR. T. D. SULLIVAN (College Green, Dublin): Mr. Speaker, I wish to protest against the views put forward in the speech, and the observations which have just been made by the right hon. Gentleman opposite. He protests against what he is pleased to call the waste of time of the House. [*Cheers.*] Yes, we shall have cheers from the Government Benches of this House, but we deny that this is a waste of time. We claim that we are occupying the time of the House with matters of the greatest importance to the Irish people, and of considerable interest to the English people also. The right hon. Gentleman wants to proceed with what he is pleased to call the business of the House. He is anxious to preserve what he calls "the dignity of the House." Sir, I maintain that it accords with the dignity of the House to hear questions of this importance, and to have them fully and fairly discussed, and I say that the contention of the right hon. Gentleman is in restraint of freedom of debate, and of the rights of Members in this House. We are within our right to draw attention to the questions which we have been discussing here to-night. The right hon. Gentleman may think lightly of these matters, but we do not share his views, neither do the constituencies we represent. I stand up for the rights of the Members of this assembly to discuss questions of importance to them, to their constituences, and to the country which sends them here. I protest against the assumption that we are wasting time. What we are now doing is part of our business, part of the business of the British Parliament, and we stand on our rights and privileges. And now I will proceed to speak upon the subject which has been under discussion here this evening. This important question of prison treatment in Ireland does not concern right hon. Gentlemen opposite or the Tory Party. It concerns Irish Members and the Irish people, and we shall maintain our right

in this matter to protest against what we consider our wrongs and grievances, and to expose the hypocrisy and meanness and injustice which is practised on the Irish people and on the Irish Members in the abused and desecrated name of law and order. I desire to speak on this subject of prison treatment from personal experience—although I do not stand before the House in the character of a person who has suffered very grievously from his prison treatment. I was not subjected to ordinary prison discipline. I was not compelled to lie on a plank bed; I was not fed on bread and water, and confined in a dark cell, but for these things I give the Government no thanks whatever—either the Chief Secretary or the head of the Prisons Board. I was tried for a Press offence, not before a removable magistrate, but before an irremovable magistrate, a respectable, honourable, learned, independent-minded gentleman. It was because I was so tried before such a man, that I was not subjected to the hardships and indignities that I have just referred to. But the head of the Prisons Board and the Chief Secretary did their best to render my treatment as disagreeable as possible. I was, in the first instance, committed to Dublin, where I could have availed myself of the prison rule applicable to first-class misdemeanants, and where I could have supervised the management of my newspapers. In four days' time, however, I was removed to Tullamore, 60 miles away, the object being to deprive me of the privileges and rights to which I was entitled. Being responsible to the Government and to society for the contents of my newspapers, I applied when in Tullamore to be allowed to see copies, but was refused on the ground that the papers contained reports of the meetings of suppressed branches of the League. I then asked the Prisons Board and the Visiting Justices to permit me to have copies from which the reports considered to be offensive, should have been cut out, but even that request was refused. This I stigmatise as unfair, unjust, and dishonourable, for advantage was taken of my helplessness to deprive me of what was really my legal right. I was cheated out of my right by the tricks, and stratagems, and meanness, of Her Majesty's rulers in Ireland. Hon. Gentlemen may think that Tullamore Prison is peculiarly fitted for the reception of political prisoners, seeing that they are sent there from all parts of Ireland. But it is nothing of the sort. I was committed as a first-class misdemeanant, but when I went there, there was no room or cell fitted up for the reception of such a prisoner. I was told so by the prison authorities. I was put in an ordinary cell, and told that after a little time endeavours would be made to prepare a better habitation. There had not been a first class misdemeanant there, I was told, within the memory of any one there. I do not want to complain of having been put in one of the ordinary cells as far as personal suffering or mere inconvenience goes, but I want to point out the unfairness and meanness of the authorities who treated me in that fashion. After the lapse of about six days, a room in a disused infirmary was prepared for me. My Friend and Colleague the Member for North-East Cork (Mr. W. O'Brien), was in the gaol at the same time that I was there—so was John Mandeville. I did not know my hon. Friend was there until afterwards, for we were never allowed to see each other, to say nothing of speaking to each other. On Sundays we went into a little room used as a Catholic chapel, and heard mass there, but still we were so separated that we could not see each other. We were penned up in places like horse-boxes. I knew he was there simply because I heard his cough, which I recognised immediately. He is not a man of robust health, but is subject to affections of the lungs and throat, and I heard his barking cough not far away from me. He was, however, so placed that he could not catch a glimpse of me or I of him. These are some of the glories of the administration of British law in Ireland. This is our great, our powerful British Government in Ireland. To these shameful and shabby meannesses do they descend in their misrule of that country. We have had no more cruel enemies than we have in Ireland to-day. We never had so mean, so shabby, and paltry a lot ruling the

destinies of the country as now. But the English people are coming to know something of the facts. They are a brave people, an honest peop'e, a people who love justice, liberty, and right, and they revolt at the cruelties, meannesses, and atrocities. They have revolted. Election after election proves it; incident after incident, down to the very latest. The conscience of the British people is shocked by these cruelties, injustices, and indignities, and they will know how to pass their judgment, and inflict their sentence by and bye upon the men who are responsible for the miserable and shameful condition of affairs in Ireland —a condition of affairs which is doing the English nation no good, conferring on the English nation no glory or honour, and bringing to the English nation no profit, but is doing injury to, and bringing disgrace—as far as the present rulers of the land can do it—on the name and fame of Great Britain. But, Sir, we shall soon have an end of it all, and I can tell hon. Gentlemen opposite that for any cruelties they can inflict on us during the brief remaining term of their power we are fully prepared. We are buoyed up with confidence that when the time comes that the verdict of the British people on this system of Irish Government shall be declared, their condemnation will be pronounced and their policy will come to an end.

(11.50.) MR. W. REDMOND: I wish to make a personal explanation. The First Lord of the Treasury (Mr. W. H. Smith) stated that no notice had been given of this discussion. Yesterday I asked a question with reference to the treatment of Mr. Welsh, Mayor of Wexford. I did not consider the answer satisfactory, and therefore it might well have been expected that I would take the first opportunity of raising the question again. My hon. Friend the Member for Louth (Mr. Gill) also asked a question yesterday with reference to the treatment of Mr. MacDermot in the County of Galway, and the answer was so unsatisfactory that he said he would take this opportunity of bringing it forward. Notice has, therefore, been given of the discussion.

(11.51.) MR. O'KEEFFE (Limerick): I am glad, as one who has been a Visiting Justice in an Irish gaol for three years, to be able to confirm what has been said by my hon. Friend the Member for the City of Dublin (Mr. T. D. Sullivan) about the inhuman barbarities to which Irish prisoners have been subjected under the operatiou of the Coercion Act, which is being so brutally and so fruitlessly administered. I can also, speaking for a constituency in the extreme South of Ireland—the City of Limerick—re-echo the sentiments and confirm the experiences of my hon. Friend the Member for Fermanagh (Mr. W. Redmond), who speaks for a constituency in the extreme North, in reference to Press prosecutions. I have lately had to put some questions in this House respecting the prosecution of Mr. John McInery, editor of the *Limerick Leader*. Some months past he was summoned under the Coercion Act for an editorial article commenting on the action of an individual named Ryan. That man, contrary to the public opinion of the district, and against the advice of his parish priest, and the Members of Parliament for the County of Limerick, thought fit without the least necessity or cause to take a farm from which another had been unjustly evicted. His conduct was the subject of editorial comment, which may have been strong but which certainly was not unprovoked. My hon. Friends will be surprised to hear that, for the mere issuing of that article, Mr. McInery has been sentenced to an inhuman imprisonment of nine calendar months with hard labour. He has appealed against that sentence, and the appeal will come on at the next Quarter Sessions. Another prosecution has been directed against this same gentleman, merely for the purpose, as I will prove, of putting him in goal for the time inter-

vening between the pronouncement of sentence in the Crimes Court and the hearing of the appeal. Mr. McInery published a report of the meeting at which I was present, of the Limerick branch of the League, of which I have the honour of being President. He did not comment on it in any way. For publishing the report he was summoned under the Coercion Act. When the case came before the Crimes Court, recognising the decision which I suppose up to the present must be considered law, of the County Court Judge of Waterford, the Hon. Judge Waters, who decided that it was perfectly legal to publish a report, the Crown Counsel withdrew for the moment the charge under the Crimes Act, and gave this gentleman a month's imprisonment under the Statute of Edward III. I say, Sir, that the proceeding under that Statute is a virtual repeal of the decision of County Court Judge Waters and gives the Government an irresponsible and unappealable power to get rid of an obnoxious individual to suit their own paltry purposes. There is another matter to which I wish to draw attention—I refer to the constitution of Grand Juries in Ireland. In the County of Clare, almost 85 per cent. of the population of which is Catholic, and in which there are numerous large farmers and merchants and shopkeepers, only six out of 48 Grand Jurymen summoned at the recent Assizes were Catholics. I say this is a perfect disgrace to the administration of justice in Ireland. Gentlemen opposite condemn boycotting; but I ask what is this but the boycotting of those whose merits and whose worth entitle them to the highest positions in the confidence of the people? By some unhappy knack the Government are arousing universal dissatisfaction. My hon. Friend the Member for Longford informed the House that the Mayor of Wexford had been removed from his *ex officio* position as Governor of the local lunatic asylum. I can say the same for the Mayor of Cork, the Mayor of Clonmel, and the Mayor of Waterford. Your conduct of the Fishery Board in Ireland is not a success. You held an inquiry about twelve months past into the state of the fisheries, but it was not until a question was asked in this House that the information obtained was placed at the disposal of public bodies in Ireland. I also find that you have given universal dissatisfaction with regard to the post office and telegraph office system in Ireland. Day after day complaints are made in this House of men of long experience being passed over when promotion takes place.

Mr. O'Keeffe

It being Midnight, the Debate stood adjourned.

SUPPLY.—Committee upon Monday next.

SUPPLY—ARMY ESTIMATES.

Resolutions [13th March] reported.

1. "That a number of Land Forces, not exceeding 153,483, all ranks, be maintained for the Service of the United Kingdom of Great Britain and Ireland at Home and Abroad, excluding Her Majesty's Indian Possessions, during the year ending on the 31st day of March, 1891."

2. "That a sum, not exceeding £5,643,300, be granted to Her Majesty, to defray the Charge of the Pay, Allowances, and other Charges of Her Majesty's Army at Home and Abroad (exclusive of India), and of the General Staff, Regiments, and Reserve (to a number not exceeding 62,500) and Departments, which will come in course of payment during the year ending on the 31st day of March, 1891."

Resolutions agreed to.

MOTION.

PROBATE DUTIES (SCOTLAND AND IRELAND) ACT (1888) AMENDMENT BILL.

On Motion of Mr. Crilly, Bill to amend the Probate Duties (Scotland and Ireland) Act 1888, ordered to be brought in by Mr. Crilly, Mr. John O'Connor, Mr. Flynn, Mr. Stack, and Mr. Tuite.

Bill presented, and read first time. [Bill 188.]

ARCHDEACONRY OF CORNWALL BILL [LORDS.]

Bill read the first time; to be read a second time upon Monday next and to be printed. [Bill 189.]

House adjourned at five minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS.

Monday, 17th March, 1890.

Viscount Lifford — Petition of James Wilfred Hewitt Viscount Lifford in the Peerage of Ireland claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

LUNACY (CONSOLIDATION) BILL.—(No. 24.)

Order of Thursday last for printing as amended, discharged.

OPEN SPACES BILL.

A Bill to amend the Open Spaces Acts—Was presented by the Lord Chaworth (*E. Meath*); read 1ª; to be printed; and to be read 2ª on Thursday, the 27th instant. (No. 41.)

TRUST COMPANIES BILL.—(No. 21.)

COMMITTEE.

House in Committee (on Re-commitment) (according to order).

THE LORD CHANCELLOR: My Lords, I have an Amendment to offer to your Lordships. It raises an important question, whether or not the Trust Companies, which are to be permitted to carry out this business under the sanction of Parliament are to be allowed to go outside Trust Companies' business, and to engage in any speculations which the directors of those companies may think would be profitable for the shareholders. At the time this alteration of the law was first proposed it was suggested to your Lordships, as I think upon very substantial and reasonable grounds, that there was a great want of Trustees, and that it was often very hard on people to be called upon by Friendly Societies, or otherwise, to undertake the burdensome, difficult, and responsible duties of Trustees, when, as a matter of fact, they had no interest whatever in carrying them out beyond care for relations and friends, and yet were frequently made liable for losses, and often incurred severe pecuniary expense. That want is admitted, and the Government has endeavoured to supply that want by the Bill by which it is intended to create a public Trustee. But apparently the ground has, to some extent shifted, and the idea now is, that these companies may turn out to be preferred by many people, and that they will do so large a business as to become very profitable. I am told that some of the companies who now do business in this way, though restricted to their proper Trust business, actually divide as much as 40 per cent., which, I think, ought to be enough to satisfy any reasonable persons. But if this perfectly unlimited ambit of speculation is permitted, I cannot help fearing that one of these days a great crash may happen. It cannot but be within the knowledge of many of your Lordships that companies are sometimes brought out under such circumstances as that commercial success is not likely to follow, and it is the fact that many of them do undoubtedly engage in very speculative business. My noble and learned Friend has pointed out that people are not compelled to appoint these companies, and that the Bill only gives them the option of doing so. That is true of all companies; you do not force people to take shares in them; but I think the Government would, by legislation of this kind, be rather inviting people to take shares in companies of this description; and that, at all events, it ought not to allow this Bill to pass without some kind of protest and provision being made against such companies going outside their proper functions, and engaging in every kind of speculation. I would put it to your Lordships that if you were selecting a private Trustee you would not choose a person who was likely to go into all kinds of speculation; and if there is no limit placed to the speculations in which these Trust Companies may engage, it appears to me that you would be holding out a premium to every kind of company of this description, good and bad, sound and unsound, engaging in rash speculation; and they may, in that way, get many dupes to trust them. I, therefore, think it undesirable to alter the law in the way in which this Bill would alter it, without some safeguard; and the particular Amendment now proposed to your Lordships is, first, to leave out the word "include." If your Lordships negative that, I do not propose to go further with these Amendments, in

order to prevent the decision which the House may arrive at being final. I, therefore, ask your Lordships' judgment in the first place on the omission of the word "include," and if that is carried I shall then move the consequential Amendments which stand in my name.

Amendment moved, in Clause 2, page 1, line 11, to leave out the word "include," and insert the word "are."—*(The Lord Chancellor.)*

LORD HERSCHELL: I hope your Lordships will not accede to the Amendment which has been proposed by my noble and learned Friend, because, in my judgment, it would go far to render the Bill altogether useless. I do not put this, of course, as in any way binding the House; but I would suggest that the matter was fully discussed before the Grand Committee the other day, and the Amendment proposed by my noble and learned Friend was rejected by a majority of 15 to 8, and I need hardly say that that large majority was not composed of noble Lords on the political side to which I belong, but of the Party to which my noble and learned Friend belongs. It was, therefore, as your Lordships see, in no way treated as a Party question in the Committee of this House, and I trust it may be treated as entirely distinct from Party feeling here as it was there. Now, my noble Friend has suggested, I think, that this proposal was a kind of afterthought, put forward to oust his proposal for the appointment of a public Trustee. Well, I think there is a little chronological defect in that argument, namely, that this Bill was before the House before my noble and learned Friend made any proposal about a public Trustee; and it was only when this Bill had been introduced, and as bearing upon the subject of this Bill, that he for the first time proposed to deal with this question, and satisfy the want to which he alludes by the appointment of a public Trustee. I am not indicating the slightest hostility to the proposal for a public Trustee. I said when my noble and learned Friend first proposed it that I should render him every assistance in endeavouring to pass it into law. There is no necessary rivalry that I can see between the two schemes. Some people would, perhaps, prefer to appoint a public Trustee, and there are others who have great dislike to and distrust of what they call officialism, and of the delay and red-tapeism which is supposed to be characteristic of a public office. Those people will very likely prefer a Trust Company to a public Trustee, and my suggestion is simply to leave people perfect freedom in the matter. Why we should treat people as children or idiots, and incapable of managing their own affairs, I am entirely unable to understand. At the present time a man may choose whom he pleases as his Trustee. He may, if he pleases, choose the most speculative person in the world, the most worthless person in the world, or the most impecunious person in the world—it rests with himself. Why if a person desires to appoint a Trust Company as his Trustee are you to say to him, "You are only to appoint a company which does that kind of business, and nothing else," and why you are not to leave him to his choice, and if he thinks it best appoint a company which does not limit its business to undertaking the duties of Trusteeship, I cannot see. It is assumed that a company which limits its operations to Trusteeship will be a better and a safer company than others, but it does not follow at all that that will be the case. It is likely that there will be many strong companies which do not limit themselves to this kind of business, who would be much safer Trustees than the companies to which my noble and learned Friend proposes to limit the Bill. It seems to me it will not do at all to say that if you are going to have Trust Companies you must only have those to which my noble and learned Friend chooses to limit this measure, instead of leaving it open to probably much stronger companies, with much larger paid up and unpaid capital. What is the reason for it? Why should not you leave men to choose for themselves the companies which they think they can trust best? Where is the risk in doing that? My noble and learned Friend talks about companies speculating with their Trust Funds, but the truth really is that as they have not the right neither will they have the opportunity of speculating with the money entrusted to them. They are bound, just as any other Trustee is bound, and they would simply be going beyond their powers and duties as Trustees in so dealing with Trust money. Of course, a

Trust Company may be dishonest, as an individual Trustee may be dishonest, but I do not know why there should be any more reason for supposing dishonesty in the one case than in the other. Indeed, the contrary may be expected. One has had experience in numbers of cases in which Trustees have unfortunately proved to be dishonest, and you cannot prevent dishonesty do what you will. That is no ground of objection therefore, and if persons prefer a Trust Company of this description, I do not see why the Legislature should stand between them and their wish. It is not as though people were to be compelled to adopt one course. This Bill proposes that Trust Companies may be appointed in two ways; in one case it is left to the person's choice, just as now, and in the other case there may be a selection made among these companies. That is the selection the consequences of which my noble Friend so much fears. But is it the province of this House to teach people their business, and to prescribe for them whom they are to trust and whom they shall not? I am entirely against any interference which would prevent them from managing that matter for themselves. Then, there is one other great objection which I have to this proposed limitation, and it is this: If you limit the operation of this measure to companies which carry on the business of Trusteeship alone, it appears to me that they will be likely to make much heavier charges for the work they do than companies which do not limit their business in that way, because companies of that kind would be able to distribute their charges over their general business, and they would have much less cause to charge heavily for this work than companies whose work is limited to Trust work only. This is one of my objections to this limitation: That you not only limit a man's choice, but you drive him to a company which may be undesirable for his beneficiaries and for the Trust Fund. My noble Friend says that some of these companies have divided 40 per cent. I should very much like to know where they are to be found, and how it can be done except by making tremendous charges for the work performed I am at a loss to understand. Suppose a company only does the work of Trusteeship, and that it divides the 40 per cent. profits. I will tell my noble and learned Friend what I think the nature of that company will probably be. I believe that would be a company which invests a great deal of its money in land in one of the colonies, and that the profits are made by what I will call land speculation: that is to say, it invests its reserve funds, which are to stand against any of its liabilities under the Trust, upon land in situations where the company thinks it will improve in value, and will yield large profits, But that is a sort of speculative company which may one day invest its capital in land which may turn out to involve a loss, or to be unprosperous, and the company's dividends may disappear. I do not think a company which pays 40 per cent. in that way is a specially safe company. That tremendous percentage of profit cannot be made without risk in some way or other, and it would very soon cease if it were made, for it would probably be driven out of the field by rivals competing for such profitable business. I am, therefore, a little sceptical with regard to companies which make 40 per cent. in this business. I ask your Lordships to pass this Bill, which was passed by the House last year, and sent down to the House of Commons without this limitation in it. If it was unobjectionable then without that limitation, it is surely unobjectionable now, and I cannot think there is sufficient reason for preventing people from applying to companies which deal with their funds in other ways, if they choose.

THE LORD CHANCELLOR: I should like to say one word, because one part of my noble and learned Friend's argument is a little technical, and, without explanation, may be liable to be misunderstood. He says that the guarantee can only be against actual breaches of trust. That is quite true; but assuming that shareholders have paid up all their liability upon shares, there will be no further capital available for speculation, or to meet losses made in that way, because those would not be companies with unlimited liability. But if there is a liability, and if there is uncalled-up capital, the result will be that the shareholders' liability may not be available, and the power of the company to pay or make good breaches of trust will be impaired upon the failure of any portion of this speculative business. If the company

should be dealing with shares, for instance, and by some sudden change in the market the company were called upon to supply some £200,000 or £300,000, although that would have nothing to do with the particular investments which the company had been making, the ability of the company to pay, which is all the *cestui que trusts* have to rely upon, is gone in face of another liability to perhaps the full extent of all their property and business. Then it seems to me there is no guarantee in those circumstances. The hypothesis in all these cases must be that Trustees shall be able to produce at any time the property entrusted to them, and if the property has not been misapplied there will be no doubt about it. But the property may, on the other hand, have been misapplied, and the company may have used the Trust Funds in a way they should not, and in that case all the unfortunate *cestui que trusts* have to look to is the unlucky shareholders, who are just as liable to be called upon in regard to outside speculations as for making good their Trust Funds.

LORD HERSCHELL: No doubt such cases might arise, but that is true also of private Trustees, and in their case you do not provide for keeping a reserve fund. You would, therefore, certainly be no safer with a private Trustee than with a company. Suppose you have a Trust Company which is doing none but Trust business, you will naturally have but a very small capital called up and duly invested. My noble and learned Friend would leave the company to speculate with its reserve fund, which is all the *cestui que trusts* have to look to, just as it pleases. It may invest that in order to get its 40 per cent. in the most speculative schemes in the world, and it will be sure to do so, because that is the only way in which to make its business pay.

*LORD BRABOURNE: It is, I am afraid, very presumptuous in me to interfere in a discussion between a Lord Chancellor and ex-Lord Chancellor, but there are two points upon which I should desire to say a few words. One is, that I would invoke the interference of the head of the Government in favour of our Standing Committees; otherwise I fear that if the Government come down and ask your Lordships to reverse the decision of a Standing Committee after it has met and considered and taken a particular view, the attendance at Committee meetings will become rather scanty. We did consider this question fully, and decided by a majority of 15 against 8 in favour of the Bill as it stands; and I think to reverse such an opinion would weaken the authority of Standing Committees. I do not think the argument put forward by the Lord Chancellor is at all valid, because the greater the share capital which might be possessed by a company doing such other business as has been referred to the better security for the stability of the Trust Company. I may mention that I am acquainted with a Trust Company which is incorporated principally for that object, but which does a very extensive business in another direction; and I would humbly submit that the stability and fitness of that company to be a Trust Company is increased by the fact of its carrying that other business, and that it is more likely therefore to be a solvent Trustee than if it had only the limited business appertaining to trusteeship. I sincerely hope, therefore, that this Amendment, put forward, no doubt, with the best possible motives, will be regarded as a direct restriction upon commercial enterprise, and that people may be supposed to be sufficiently wide-awake to their own interests not to choose an undesirable Trustee, I hope, therefore, this limitation will not be made.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I rather protest against the noble Lord's view that nothing is to be reviewed in this House which has been decided in one of the Standing Committees. A Standing Committee may happen to have a majority one way or the other according to the attendance of noble Lords upon it; and to say that there should be no revision would be to reduce the House to an impotence which I am quite sure the noble Lord would not wish. I was one of those, I may say, who voted with the Lord Chancellor in the Committee, and I myself do feel strongly that a Bill of this description should guard the public in every possible way in reference to the operations of these Trust Companies. I cannot imagine that this is so simple a matter

as the noble and learned Lord opposite would submit to the House. We have such considerable experience of companies in these latter days, and of so many of them coming to grief, that we cannot be too careful. If it be, as it will be, supposed that they have received special Parliamentary authority to take up private Trusts for individuals, we may easily imagine, though that in itself is not any real security, yet it may tempt people to so appoint them, and to invest in them as in the case of Friendly Societies in which without any guarantee on the part of the State people have been induced to invest their funds, and often invest them in that which is not a good security. Here we have a Bill before us of a great many clauses, and I am quite sure my noble and learned Friend would not wish to bring in a Bill which would not offer every security. At the same time, the very fact that you require some provision of the sort for this purpose shows that you must deal with companies much more strictly than with individuals. In the case of these companies there will be supposed to be a Parliamentary security; and I can only say that if there be a Division, I shall be obliged to repeat the vote I gave in Committee.

LORD THRING: As your Lordships know, the object of this Bill is to enable Trust Companies to occupy the place of Trustees and Executors. There are certain technical regulations imposed by law relating to Probate and executory dispositions, and no doubt it has been found necessary that safeguards should be introduced. But I do trust your Lordships will not accede to the proposal of the Lord Chancellor. Joint Stock Companies have now for more than 60 years been struggling to emancipate themselves from the fears of capitalists and the quibbles of lawyers; and now what is proposed to be done is that we shall introduced the thin edge of the wedge. It is proposed to limit the operation of these companies, and that would be, I think, merely a prelude to putting fetters on companies in general. I believe no greater benefit has been derived by mankind from anything than from the freedom which has been accorded to companies. Your Lordships are aware that many banks have become Limited Companies, like many other large commercial undertakings, and I trust your Lordships will not accede in this particular case to a proposition to put companies in fetters, which will not only disable them from making money for their shareholders, but will diminish, instead of increasing, their security. Besides all that, what possible ground can there be for dry-nursing people? People select their own bank, which is rather an important matter, and surely they can be left to select a Trustee as well as a bank. In appointing an executor, they may just as well appoint a particular company as a particular man. In neither case can there be absolutely security against dishonesty, and I hope your Lordships will not sanction this most retrograde piece of legislation for the purpose of limiting the operations and business of companies, a provision which would reverse the whole policy of our legislation in these matters for the last 60 years.

EARL GRANVILLE: My Lords, it seems to me the argument has been very nearly on one side, and that the matter is viewed by the House in the same way as it appeared to the Committee after a great deal of discussion. But the point which I wish to draw to your Lordships' attention is this: I entirely agree with the Lord President of the Council that there can be no question as to the House abdicating its right to discuss and amend any arrangements made in the Committee. On the other hand, I think it is very much to be deprecated that when a legal detail of this sort has to be fairly considered the House should not be left entirely open to vote as it may think right, and that the Government should not be invited to use pressure or in any way assist in a particular course being taken. And I think so the more strongly here, for I believe I am rightly informed that in the large majority of 15 to 8 there were, except Members of the Government, only four of the noble Lords on the Committee who took the same view as the Lord Chancellor.

*LORD SUDELEY: There is one point in this Bill which your Lordships ought, I think, to bear in mind. It may be a good or a bad thing that Trustee Companies should exist, but I think your Lordships ought to remember the exact position in which we are placed as the law stands at present. I think the Lord Chancellor will agree with me that

you can have Trustee Companies to any extent. In fact, it is very well known that a large number of Trust Companies do exist, and that Trustees' work is very much undertaken, especially for large Debenture issues. But what does this Bill do? The whole object of it was that if people are to be allowed to place funds in the care of Trustee Companies, they should be companies which are responsible concerns. Care should be taken that they are companies which have large reserves, that the Board of Trade shall occasionally look into their accounts and see that there is a proper reserve, and that the whole thing is properly done. Undoubtedly there are further conveniences afforded by this Bill which will enable existing Trusts to be undertaken by these companies; but as the law stands at present, there is nothing to prevent new trusts being created and put in charge of these Trustee Companies. As I believe, the great security is to make Trustee Companies as strong as possible, to allow them to do legitimate finance work and then establish large reserves. To limit their powers as proposed by the Lord Chancellor seems to me to cripple them and render them weak. You have no guarantee whatever at present that these Trustee Companies shall have proper reserves or that they are properly looked after. I apprehend, therefore, that if the view of the Lord Chancellor is right in this matter in not letting this Bill pass without such safeguards he ought to see that they are imposed by further legislation, and that companies engaging in business of that character shall possess large reserves, and are properly looked after.

THE LORD CHANCELLOR: One word in answer to what the noble Lord the leader of the Opposition has said. I hope nobody will vote for the Amendment simply because it is moved on the part of the Government, and that everybody will exercise his own discretion in the matter. Entertaining the strong view which I hold in this matter, I think it right to take the opinion of the House upon it.

On Question, "That the words proposed to be left out stand part of the Clause," the House divided:—Contents 23; Not-Contents 38

EARL GRANVILLE: I would only say that it is extremely kind of the Lord Chancellor to announce that the Government do not wish to influence the House, but leave them to exercise their individual judgment. I would point out however, that it is hardly consistent with that announcement that the Tellers opposed to my noble and learned Friend should both be Government Tellers.

THE LORD CHANCELLOR: There are some Consequential Amendments. I need not say anything about them.

LORD HERSCHELL: Of course, I shall not oppose the Consequential Amendments; but I desire to say that as regards the Bill, now so absolutely worthless after the decision to which the House has come, I should not proceed further with it but for the hope that the view now taken by a comparatively small majority may not be taken elsewhere. That is my only reason for proceeding with it.

Other Amendments made.

LORD HERSCHELL: I propose to omit Clause 17 in order to insert a new clause in consequence of a decision that was recently come to turning upon an old doctrine of law that a Corporation and an individual could not be as Trustees joint tenants, as there would be no question of survivorship between them. The proposed new clause enacts that they may be registered together, and are to be treated as joint tenants. I suppose the noble and learned Lord will have no objection to that. It is a somewhat elaborate clause, but that is the purport and intention of it.

Report of Amendments to be received on Thursday next, and Bill to be printed as amended.—(No. 42.)

INDIAN COUNCILS BILL.—(No. 40.)

Amendments reported (according to order).

*VISCOUNT CROSS: My Lords, in moving that this Report be now received I wish to state that, as a matter of course, I telegraphed the Amendment which has been moved by the noble Earl Lord Northbrook, and which I accepted the other day, to the Viceroy. The Viceroy desires me to state to your Lordships that he entirely approves the Amendment which I then accepted.

Bill to be read 3ª to-morrow.

DOCK ACCOMMODATION AT BOMBAY.

QUESTION.—OBSERVATIONS.

VISCOUNT SIDMOUTH: My Lords, I hardly know whether the question which I am about to ask should be addressed to my noble Friend on the part of the Admiralty or to the Secretary of State for India; but I believe that the Government have made up their minds as to the necessity for a dock at Bombay, and therefore I will put the question to the Secretary of State for India, especially as he answered a similar question in a somewhat hopeful manner two years ago. The question was then put to him by my noble Friend Viscount Midleton, and he then intimated that the wishes of the country would be complied with. I suppose there must be some great reason for the delay, which the noble Viscount will state to us from the correspondence on the subject with the Bombay Government, for I understand that all persons who have considered the question are of opinion that a dock at Bombay is absolutely necessary. I do not wish to weary the House with any platitudes or remarks which have been made on several occasions with regard to our vast interests in the East, but it really does seem to me that the Government have scarcely estimated the very great importance to us of having a dock on the East Indian station. May I remind the House that that station is of very great extent. It comprises an expanse of water upwards of 5,000 miles from east to west, and almost of equal extent from north to south; and in the whole of the vast area of water there is not a single dock which would afford the means of repairing the first-class vessels of our Navy. And let me also remind your Lordships that the necessity for this dock accommodation has greatly increased since my noble Friend Viscount Midleton addressed his question to the Government. We have now great interests in the East of Africa, and during those two years the importance of Zanzibar has very considerably increased. As time goes on we shall no doubt have—in view of the increased interests which will come into play in the East Indian Station—to meet further demands for furnishing the means of repairing our ships out there. From Bombay, in the direction of the Isthmus of Suez, there is a stretch of water upwards of 2,000 miles in extent; it is upwards of 2,000 miles again to Singapore, where there is only a very inferior dock, and it is about as much to the Mauritius, where there is another dock. There was one place where we formerly had a dock in one of the finest situations in the East for repairing vessels, Trincomalee, but that no longer exists; or, if it does exist, it is now quite unadapted for repairing such vessels as we have at present on that station. Let me remind my noble Friend, too, that our interests are increasing in the direction of the Persian Gulf, and it is quite possible that before many years pass we may see a Foreign Power in that neighbourhood. There are harbours there which are available for this purpose, and I think something ought to be done; for, as the noble Lord knows, a dock cannot be constructed in a very short time. Even supposing—which I believe is the case—that the Government could construct it much more rapidly than any private company could do it, it would be at least five or six years before a dock could be constructed. At this moment, I believe, there is not a single dock out there on which the Government could lay its hand for the purpose of repairing our first-class ironclads. Last year I pointed out to the House that it had actually happened that when two of our ships wanted repair they had to be taken to Nagasaki and Yeddo, simply because there was no dock on the China station capable of taking them for repairing purposes. These are very serious considerations for us, and I will remind the noble Lord that at the time of the French war, 50 or 60 years ago, the country was in a much better position for the protection of its commerce than it is now. In those days we actually were able to build some of the finest line-of-battleships in the Navy at Bombay, and all our vessels could then be repaired without the slightest difficulty on the spot. Now, the ordinary docks are not only incapable of taking in our vessels, but we have not the staff or the means for repairing them, as could formerly be done in the case of the wooden ships of old. I hope the Government and my noble Friend will take some steps to push this matter forward, for I can assure them that all naval men are of one

opinion as to the absolute necessity of having docks there, and I would, if I may be allowed, add my own humble opinion that, on every large station, the Government ought to possess docks capable of taking for repairs our largest men-of-war. I beg to move for any Papers which are available.

Moved,

"That there be laid before this House any correspondence with the Bombay Government as to whether any progress has been made in the construction of Government docks at Bombay."—(*The Viscount Sidmouth.*)

*VISCOUNT CROSS: This matter has been before your Lordships for some time, I am sorry to say. Speaking for the Indian Government, they are very anxious that this dock should be made; but at the same time it must be remembered that this dock is not required for Indian, but for Imperial purposes. Correspondence has gone on for some time in the matter between the Admiralty, the Indian Office, and the Treasury, and I am afraid the result has not been very satisfactory. The Admiralty have sent me this answer—

"The Admiralty are strongly of opinion that a first class naval dock is required at Bombay, but under the pressure of other claims upon the Government, it is not possible at present to allot Imperial funds to cover the share of the cost of a dock of this nature, and they also think it undoubtedly inexpedient at the present time to lay any Papers on the subject before Parliament."

With regard to what has been going on in India itself, for the information of the noble Viscount and that of the House, I may state that the Port Trust Dock at Bombay is rapidly proceeding, and although that is not a dock of the description required, its length is considerable. Its length is 500 feet, the floor is 62 feet across, the depth at ordinary spring tides is 27¼ feet, and the width at the coping 90 feet. I am told that this dock will be ready in the early part of 1891, if the present rate of progress goes on. So that, at all events, we may see that the people and Government of India are doing something themselves in the matter. I wish I could give an answer with regard to the construction of a larger dock, but I am afraid that is all I can do at present.

*VISCOUNT SIDMOUTH: I should like to ask whether the Government will have the power of using that dock—can the Government lay hands upon it at any time?

*VISCOUNT CROSS: I never like to answer questions finally without notice, but I think I may say that I have not the slightest doubt that would be so. The Government could obtain the absolute power of using that dock, if wanted.

The Motion, by leave, withdrawn.

STARVATION AT SUAKIN.

QUESTION.—OBSERVATIONS.

*THE EARL OF DUNDONALD, in rising to ask Her Majesty's Government if they can give any information as to the alleged state of starvation of the natives about Suakin; and, if it is as stated, whether they purpose taking steps to relieve the sufferers, said: I will only occupy a very few moments of your Lordships' time while I amplify the question which is put down on the notice Paper of your Lordships' House in my name. It appears that information has been received from Suakin stating that the natives at that place are in a state of semi-starvation. I cannot do better than read to your Lordships an extract from a letter written by Mr. Bennett Burleigh, whose name will be well-known to your Lordships as a war-correspondent, which appeared in the *Daily Telegraph* a few days ago. He writes on the 10th March—

"I have to-day received communications from official and private friends at Suakin, which, in the interests of humanity and for the sake of our country, cannot be ignored."

Mr. Naggia writes that—

"There being a dearth of food in the country, the Arabs are seeking refuge in Suakin. By an Order issued by the Governor General there, 'no Arabs from the outside' are allowed to pass the night within the walls. The weather has recently been unusually inclement, and the Arabs prefer to lie still and die outright rather than venture back to wander over the plains or hills to die of cold or starvation."

Mr. Burleigh also gives a short extract from a letter written by a naval officer at Suakin, who says—

"We are in a miserable state of starvation; mothers are discarding their children—children killed and eaten here in the town. I hear that a man buried yesterday afternoon was dug up and eaten during the night."

Now I do not quote those extracts for the purpose of finding fault with any regulations which may have been made by the Governor of Suakin. He is res-

ponsible, of course, for the regulations which he thinks it right to make, and it rests with him to say whether he will allow natives from outside to sleep within the town or not, but I do think that, as this country by abandoning the Soudan has made it a sanguinary playground, I may call it, for savage tribes, it should take steps to avert the famine which generally follows upon bloodshed in such countries, and I hope Her Majesty's Government—for, if my information is correct, it is greatly needed—will place at the disposal of the Governor of Suakin supplies of grain for the unfortunate Hadendowahs, and also that they will, during the inclement weather, place at his disposal fuel so that they may make fires and warm themselves during the cold nights. Then, if we are not to have a recurrence of this state of things during next winter, grain ought to be provided for seeding purposes. I feel certain that the noble Marquess at the head of the Government will, at all events, lend his sympathy to the object of my question. I think all who are acquainted with Africa will endorse my statement that his administration has inaugurated measures which, I trust, will be of immense future advantage to the natives of a large portion of Africa, and I, therefore, feel that the noble Marquess will sympathise with me when I say that it would be a sad thing if our noble and gallant adversaries, the Hadendowahs, should, after escaping from our bullets, at length die of starvation in the desert.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The MARQUESS of SALISBURY): My Lords, I am sure that everyone will sympathise deeply with the sufferings of the unhappy natives of the Eastern Soudan. At the present moment, I do not think, from all the intelligence which we have received, that their sufferings have been exaggerated by the noble Lord. The famine is very severe, and the sufferings are very acute. That we all feel deeply, and when he appeals to those who listen to him for sympathy I am sure he will not appeal in vain. But when the noble Lord goes further and proposes, as I understand him, that we should put a Vote on the Estimates for the purpose of succouring those inhabitants of the Eastern Soudan, I think he is proposing to us to take a perfectly new departure, and to take measures which have no precedent in our recent history, at all events, and which might lead us very far as a precedent in the future. The Egyptian Government, of course, feels a certain responsibility. A subscription has been opened, and I believe the Egyptian Government has largely subscribed to it, for the purpose of assisting these poor people, but the English Government, so far as I can remember, has never yet within recent times advanced the public money, that is to say the money of the taxpayer, for the purpose of relieving foreign distress of this kind, and feeding a foreign population. No doubt enormous contributions have been made by the private munificence and good feeling of Englishmen, but so far the unwillingness of the Government and the House of Commons has been very great in regard to sanctioning any gift for the relief of a foreign population. If my memory serves me right, even in the terrible misery of the Indian famine, which was far more terrible in its area and its magnitude, and its fearful consequences, than the famine to which the noble Lord has called attention—even in that crisis, all the public money spent was the public money belonging to India itself. Of course, I must guard myself in saying that, by adding that I do not forget the enormous supplies which the private munificence of Englishmen brought forward. The noble Lord will not imagine that I am depreciating the great suffering which prevails in the Eastern Soudan; but on the grounds I have stated, because the step he invites us to take would impose upon us a heavy and severe responsibility, which we have no right to impose on the British taxpayer, I cannot hold out any hope that his suggestion will be entertained.

PUBLIC TRUSTEE BILL.—(No. 9.)

House in Committee (on re-commitment) (according to order): Bill reported without amendment: Amendments made: Bill re-committed to Standing Committee for Bills relating to Law, &c.: and to be printed as amended. (No. 43.)

LUNACY CONSOLIDATION BILL.—
(No. 24.)

Read 3ª (according to order); amendments made; Bill passed, and sent to the Commons.

WELSH COLLIERY REGULATIONS.
QUESTION.—OBSERVATIONS.

THE EARL OF DUNRAVEN, in rising to call attention to the statement of Thomas Jones Rowlands, an engineman, who, on 5th March, was charged at the Pontypridd Police Court, and fined £2 for a breach of the special rules of the National Colliery, Rhondda Fach Valley; and to ask Her Majesty's Government what rules, if any, are observed in coal mines regulating the number of hours allowed to be worked by men in charge of steam machinery, said: My Lords, this matter to which I wish to allude is, in itself, a very small one, although the consequences might have been serious, but it involves considerations which may be of much danger to the population working underground. It appears that a man named Rowlands was, on the 5th March, charged at the Police Court at Pontypridd with a breach of his duty, and of the special rules of the National Colliery in the Rhondda Fach Valley. This man was in charge of the engine which pumps air into the mine, and the ventilation of the mine, therefore, was in his hands. The charge was that he was found asleep at his post late on Sunday night. Owing to the neglect of his duty the strokes of the engine had naturally diminished, and the quantity of fresh air pumped into the mine had, in fact, very considerably decreased. Of course, your Lordships will understand the danger to the mine or to the men working in the mine if the supply of fresh air were allowed to fall off. The charge was proved, and the man was fined the full amount of £2, the Stipendiary Magistrate remarking that he had by his neglect imperilled the lives of 117 men, and that if it had not been for the casual visit of the manager to the engine-house the ventilation would have become still lower and weaker, and terrible disaster to the men in the colliery might have ensued. The excuse which Rowlands gave was that he was exhausted by overwork. He said that on that very day, the Sunday, he had worked 14½ hours; he said he had been on duty since 8 o'clock in the morning, and that during the day he had been assisting with the machinery, which required very careful attention and manipulation. He also said he had worked very long hours during the week—all day during Wednesday, then on at night, and all day on Thursday; that he had been at the engine all day on Friday and looking after the machinery; then he was employed at the engine all day on Saturday and again on the Sunday, as I have told your Lordships, and that, being exhausted, he had gone to sleep. These facts I cannot guarantee as accurate. I merely quote them as they were given in the local journal. The only observation apparently made in the matter by the officials of the colliery was that the man was not compelled to work overtime, and that it was entirely his own doing. Without going into contentious matters, it will be obvious to your Lordships that whether the man exhausted himself by working overtime from his own wish, or not, and was incapable of exercising proper vigilance in his duties, makes no difference to the men in the mine in the event of an accident occurring. I think your Lordships will agree that where the safety of a number of persons is entrusted to a man in charge of machinery of that kind steps should be taken to ascertain that he is physically competent to exercise the important duties entrusted to him, and that he is not in a state of physical exhaustion from overwork, even if that overwork was of his own seeking. Whether any rule of the kind exists at collieries I do not know, and therefore I wish to ask Her Majesty's Government what rules, if any, are observed in coal mines regulating the number of hour's work for men in charge of steam machinery.

*LORD DE RAMSEY: In answer to the noble Earl I have to state that neither by the general rules laid down in the Mines' Regulation Act of 1887, nor by the special rules established in the South Wales District, has any attempt been made to regulate the number of hours allowed to be worked by men in charge of steam machinery. I would only add, that without further information, we are not inclined to attach any blame to the managers of the colliery; but at

the same time there is sufficient evidence to make us consider whether some better arrangement could not be made than seems to have been followed in this case, when a man, after long hours of labour, voluntarily undertaken by himself, should at night be left in charge of machinery controlling 117 lives.

House adjourned at a quarter before Six o'clock till to-morrow at a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 17th March, 1890.

QUESTIONS.

THE IRISH DEMOCRATIC LABOUR FEDERATION.

MR. JORDAN: I beg to ask the Attorney General for Ireland whether he is aware that a branch of the Irish Democratic Labour Federation, with Patrick J. Bourke as president, is established at Kildysart, County Clare, and that the local police, against the remonstrance of the president and members, attend the weekly meetings, and whether they so attended the meeting of the 16th February, 1890; whether the said Association is, or has been, declared to be illegal; if not, by what authority do the police attend the meetings; and will he give instructions to prevent further interference?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The facts are as stated in the first paragraph of the question, but on no occasion has there been any interference on the part of the police.

POLICE WATCHING IN IRELAND.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether, in view of the repeated and public complaints of the Rev. T. O'Keefe, P.P., Meelin, County Cork, the constabulary authorities will issue instructions to the local police to discontinue the system of constant following of and watching Reverend Father Kennedy, C.C., and whether they will order that policemen shall not follow the reverend gentleman when engaged in visiting the sick and the dying, and other similar duties of a sacred character?

MR. MADDEN: The Constabulary Authorities report that it is necessary to watch Father Kennedy, of Meelin, County Cork, as he is actively engaged in endeavouring to revive the local branch of the National League, which has been suppressed in the district as an unlawful association. The police, of course, will not follow him on any occasion where they have reason to believe that he is engaged in the discharge of duties of a sacred character.

MR. FLYNN: I beg to ask the Attorney General for Ireland whether complaints have reached him that at Meelin, County Cork, Sergeant Hyde called on Father O'Keefe, P.P., to tell him from Colonel Turner that additional police will be quartered on the people of the district in the event of any outrage occurring in the parish; if so, was the policeman authorised by Colonel Turner to make the communication; and whether he is aware that Father Kennedy, senior curate to Father O'Keefe, has been twice taken to prison from this district for offences under the Criminal Law and Procedure (Ireland) Act; and, under the circumstances, can he give an explanation why a communication of this kind was made to the parish priest?

MR. MADDEN: The Constabulary Authorities report that it is the case that the sergeant met the parish priest in the village and made the communication to him indicated in the first paragraph. He was authorised to do so by the Divisional Commissioner. Father Kennedy has been convicted under the Crimes Act.

THE IRISH LAND ACT.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland whether his attention has been drawn to the fact that, in spite of the words of the Eviction Section of the Land Act of 1887, that "Every person served with the writ or process in ejectment, who, at the time of the service of the notice shall be in possession of the land," should receive a copy of the eviction notice, the Judges made a rule that a copy should only be served on the tenant, and that, in consequence of this rule, the Queen's Bench held in the

case of "Webb *v.* Cronin," that where the nominal tenant was in Australia the real tenant who had previously redeemed the land and paid rent need not be served with the eviction notice, which decision is unappealable, and do the Government intend to allow the law to remain in this condition, when the Act itself plainly provides for service on every person in possession who was served with the writ as Cronin was?

MR. MADDEN: I have only seen a newspaper report of this case. I will inquire into the matter, and, if necessary, will communicate with the Lord Chancellor and answer the question on a future day.

RESIDENT MAGISTRATES.

MR. T. M. HEALY: I beg to ask the Attorney General for Ireland how many Resident Magistrates, before the present Government took office, were commissioned to act in more than one county; how many were so commissioned before 1881; and will he give a Return showing the practice in this matter of successive Administrations since the original creation of Resident Magistrates, and the number of counties in which such gentlemen can now adjudicate?

MR. MADDEN: The Resident Magistrates are commissioned to act in more than one county, but they only act in their own district unless their services are required elsewhere by the public necessities.

MR. T. M. HEALY: Where is the difficulty? If we can extort the information, I think we shall be able to show that, under the present Government, there are Resident Magistrates commissioned to act in half a dozen counties, and that the practice is growing. If *Thom's Directory* were taken for a series of years, I presume it would show the whole thing?

MR. MADDEN: As far as my knowledge goes I feel very great difficulty, because it would be necessary to go back to the Act of 1831. I am not aware that materials exist for giving the information, and if the hon. and learned Member will move for a Return in a tangible shape I will ascertain if the materials exist for supplying it.

COLONEL WARING (Down, N.): Is the right hon. and learned Gentleman aware that a Resident Magistrate is always commissioned to act in counties coterminous with those in which he is stationed?

MR. MADDEN: Yes, that is quite correct.

MR. T. M. HEALY: Will the right hon. and learned Gentleman give a Return for the 10 years before 1881, and the 10 years since?

MR. MADDEN: I will inquire.

THE SPECIAL COMMISSION.

MR. MACARTNEY (Antrim, S.): I beg to ask the Secretary of State for the Home Department whether there are two constables, named Jarvis and Shaw, in the employment of the British Government; and, if so, of what force are they members; whether it is the fact that they were employed by the *Times* for the purpose of procuring evidence or the attendance of Sheridan or other witnesses before the Special Commission; whether, if so employed, they were at Kansas City during the month of December, 1888; and whether they, or either of them, were at any time in communication with Sheridan?

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Jarvis and Shaw are inspectors in the Metropolitan Police Force. It is not the fact that they were employed at any time, directly or indirectly, by or for the *Times*, in procuring evidence or the attendance of any witnesses. The answer to my hon. Friend's remaining questions is in the negative.

MR. T. M. HEALY: May I ask whether until the question of the hon. Member appeared on the Paper anyone ever suggested that Jarvis and Shaw were so employed?

MR. MATTHEWS: I am not aware of the source of the suggestion.

DISSOLVED IRISH BOARDS OF GUARDIANS.

MR. HOWORTH (Salford, S.): I beg to ask the Attorney General for Ireland if he will give the names of the Boards of Guardians in Ireland which have been dissolved during the last 10 years, with the localities in which they were situated?

MR. MADDEN: The following are the names of the Boards of Guardians which have been dissolved during the past 10 years, and the counties in which they are situated:—Belmullet and Swineford,

County Mayo, dissolved twice each; Newport, County Mayo, dissolved once; Carrick-on-Suir, Tipperary, once; New Ross, Wexford, once; Ballinasloe, Galway, once; Athy, Kildare, once; Dungarvan, Waterford, once; Ballyvaughan, Clare, once; Portumna, Galway, once; and Cork, County Cork, once.

MR. J. O'CONNOR (Tipperary, S.): Will the right hon. and learned Gentleman state for what reason these Boards of Guardians were dissolved?

MR. MADDEN: They were not all dissolved for the same reason. I must ask the hon. Gentleman to put the question down upon the Paper.

THE IRISH SCOIETIES AND LONDON COMPANIES.

MR. LEA (Londonderry, S.): I beg to ask the Attorney General for Ireland whether, since the Select Committee appointed last year upon his Motion to inquire into the charters of the estates in Ireland of the Irish Societies and the City Companies as to their trusts and obligations, unanimously "recommended that a Committee on the same subject should be appointed the next Session of Parliament," that Committee will, in accordance with usual practice, be reappointed; and if the Government will move for its appointment at a sufficiently early date to allow time for the Committee to arrive at an effective Report?

MR. MADDEN: I must ask the hon. Gentleman to postpone the question for a few days.

MR. T. M. HEALY: I had intended to ask the First Lord of the Treasury whether the Government intend to reappoint the Select Committee to inquire into the dealings of the London Companies with their Irish estates in County Derry; and, if so, when will the Motion be made; but at the request of the right hon. and learned Gentleman I will postpone the question until the Government have had time to make up their minds upon the matter.

EXTRA POLICE IN TIPPERARY.

MR. PATRICK JOSEPH O'BRIEN (Tipperary, N.): I beg to ask the Attorney General for Ireland what amount is at present chargeable on the North Riding of the County of Tipperary for maintenance of extra police; whether his attention has been called to the proceedings at the recent Spring Assizes at Nenagh, which go to show an entire absence of crime in the district, the presiding Judge having complimented the Grand Jury on the fact, and pointing out that there were only four cases of a trivial nature to go before them; and whether, under these circumstances, he will consider the propriety of relieving the ratepayers of the district from the charge for extra police?

MR. MADDEN: The Constabulary authorities report that the amount charged for extra police in the North Riding was for the year ended September 30, 1889, the last completed account, £1,143 7s. 11d. The possibility of reducing the extra force in this county was very carefully considered last January; but the authorities could not then recommend its immediate reduction, but decided to again consider the question in a few months' time.

THE POSTMASTERSHIP OF O'BRIENS BRIDGE.

MR. JORDAN: I beg to ask the Postmaster General if he is aware that on the death of James Walker, postmaster, O'Briens Bridge, County Clare, his daughter was appointed temporarily to his place, and that she performed the duties of the office long previous to her father's death; whether during her father's tenure of office, and during her temporary appointment, she discharged her duties satisfactorily; and whether she has, or will be, permanently appointed to the position; and, if not, can he state for what reason?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The hon. Member seems to have been imperfectly informed as to the circumstances. I understand that on James Walker's death his widow, Mrs. Walker, not his daughter, Miss Walker, was allowed to take temporary charge of the O'Briens Bridge Post Office. Mrs. Walker, owing to bad health and old age, did not offer herself as a candidate for the permanent position. The main cause of the non-recommendation of Miss Walker was that at the time when the Surveyor had to report on the candidates for the office she had made application for a license to carry on a publican's business.

IRISH RAILWAY COMPANIES.

MR. T. M. HEALY: I beg to ask the President of the Board of Trade if his attention has been called to the loss and inconvenience inflicted on the travelling public in Ireland by the conduct of rival Railway Companies in the timing of their trains at the following junctions: Cookstown (County Tyrone), Clones (County Monaghan), Limerick Junction (County Tipperary), and Ballywilliam (County Wexford); is he aware that the arrangements are such at Cookstown that, although the towns of Moneymore and Stewartstown are only six or seven miles apart, it takes two days for a passenger to go and return by rail between either place (i.e., the return journey cannot be accomplished on the day of departure); that there is a delay of hours at the Limerick Junction caused to passengers from the South going in the Waterford direction, which a few minutes difference in the timing of the trains would obviate; and that there is a similar failure of connections at Clones and Ballywilliam; and have the Board of Trade any power to compel the companies to give reasonable facilities to the public?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has not been directed to the circumstances stated in the hon. Member's question. The whole responsibility for the conduct of traffic upon railways rests with the companies. It is possible that in the case mentioned an appeal might be made by the Local Authority to the Railway Commissioners under the Railway and Canal Traffic Acts; but the Board of Trade have no statutory authority in the matter.

MR. T. M. HEALY: Is the right hon. Gentleman aware that the facts stated in the question are correct?

*SIR M. HICKS BEACH: No, Sir; but from my own experience of cross country travelling in Ireland I can well believe it.

SHERIFF SUBSTITUTE OF SKYE.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Lord Advocate whether his attention has been directed to the observations of the Lord Justice Clerk and Lord Young, in the High Court of Justiciary, in which they severely criticise a case stated for appeal by the acting sheriff substitute of the Skye district of Inverness-shire at Portree; whether the regularly appointed sheriff substitute has been absent from the Skye district for the greater portion of the last two years; and whether he will take steps to remedy the present anomalous state of matters at Portree?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have read a report of the judgments referred to. The criticism of the Judges was intended to discourage what they described as a practice, which had crept in rather too much, of detailing in special cases the particulars of the evidence, rather than stating the conclusion of facts upon which the questions of law arose. It is fair to the gentleman in question to say that I have reason to believe that he has done his work attentively and well while acting at Portree. The sheriff substitute has been absent from ill-health since October, 1888, his duty being performed in the meantime by a qualified advocate. I am happy to learn that Mr. Hamilton's health is sufficiently improved to enable him, from next month, to reside at Portree; and he will, with assistance approved by the sheriff, gradually resume the personal discharge of his duties.

SOUTH UIST CROFTERS.

MR. FRASER-MACKINTOSH: I beg to ask the Lord Advocate whether he is aware that the crofers on the South Uist estates are by their contracts compelled to sell all their kelp to the proprietrix; and whether such contract is by the Law of Scotland obligatory on the people; and, if so, whether he will introduce a measure providing absolute freedom of sale of the products of sea and land?

*MR. J. P. B. ROBERTSON: There is, I am informed, no such contract between the crofters on South Uist and the proprietrix, as is referred to in the question. The proprietrix follows the practice of previous proprietors by employing crofters to gather the weed which is made into kelp. Formerly this was a source of profit to the landlord, but in 1879 the price fell so low that the manufacture was discontinued. The want of this outlet for remunerative labour was so much felt by the crofters that a few years after 1879 the manufacture was resumed, and the whole proceeds, under

some small deductions for necessary expenses, have been expended in remunerating the crofters for their labour.

INSPECTION OF SCOTCH SCHOOLS.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Lord Advocate whether the system of inspection and examination of endowed and middle-class schools by the Scotch Education Department is now generally in force in Scotland, and whether the leaving certificates granted in such examinations are recognised by academic and professional authorities; and if he can state the names of the authorities who accept these certificates in lieu of entrance examinations?

*MR. J. P. B. ROBERTSON: The system of inspection and examination of endowed and higher class schools by the Scotch Education Department is now generally in force in Scotland, and the leaving certificate, granted in connection therewith by the Scotch Education Department, is accepted in lieu of other examinations by the Universities of Oxford and Cambridge, Edinburgh, Glasgow and St. Andrews; the Lords of Council and Session for the purposes of the Law Agents Act; the War Office; the General Medical Council; the College of Surgeons in Edinburgh; the Pharmaceutical Society; the Society of Solicitors before the Supreme Courts; and other Public Bodies.

DESTRUCTION OF A HINDOO TEMPLE.

MR. KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether his attention has been called to the destruction of a Hindoo Temple at Durbhunga, under the Bengal Government, by direction of Mr. Beadon, the Chairman of the Durbhunga Municipality, on 8th January last, under circumstances which have caused some stir in Hindoo society; whether he is aware that Mr. Beadon alleged, as his reason for ordering the demolition of the temple, that it was one for which the sanction of the Municipality was required, under Section 237 of Act 3 of the Bengal Council of 1884, and that such sanction had not been obtained; whether he is aware that, on the day before the demolition was commenced, four of the Municipal Commissioners had sent a requisition to the Vice Chairman that a special meeting should be called to consider the matter, with the object of the requisite sanction being passed; whether he is aware that the Vice Chairman, in direct contravention of Section 39 of the above-mentioned Act, which binds him to call a meeting, did not call the same as required, but proceeded at once with the demolition of the temple, employing Mahomedans for the purpose, supported by Government police with firearms, and arresting the Brahmin priests on the spot; and when he expects to be in possession of the decision of the Lieutenant Governor of Bengal in regard to this matter?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E): In the absence of my right hon. Friend the Under Secretary of State for India I have to say that no information upon this subject has reached the Secretary of State.

POSTAL RATES BETWEEN ENGLAND AND INDIA.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether his attention has been called to a letter, dated the 16th of April 1889, and sent by the Secretary of State for India in Council to the honourable Member for Canterbury, which contains the following words:—

"Viscount Cross would view with much satisfaction any reduction in the postal rates between England and India." "Such a reduction, if made, would be made mainly, though not exclusively, in the interests of England, and of the English community in India";

and, whether he intends to take action so as to reduce the postal rates to India?

*MR. RAIKES: I have seen in the Press the letter referred to by the hon. Member; but I have not received any official communication from the India Office on the subject.

INCOME TAX ON INSURANCE PREMIUMS.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, N.E., Clithero): I beg to ask the Chancellor of the Exchequer whether it is the fact that, under the provisions of the Act passed in 1855, surveyors of taxes are justified in refusing to allow a deduction from the payment of Income Tax in respect of

insurance premiums which are paid at shorter periods than every three months; and if, considering the number of persons in humble circumstances who effect their life insurances on the condition of weekly premiums, he will consider whether there is any good reason for maintaining this disability, and insisting on quarterly, half-yearly, or yearly payments of premiums as a condition of their deduction from Income Tax?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Surveyors of Income Tax are justified by law in refusing deductions in respect of insurance premiums paid at shorter periods than every three months. It is doubtful whether persons in "humble circumstances" are affected by this restriction at all, as the hon. Member will recollect that no Income Tax is paid on incomes under £150 per annum. I am informed, moreover, that it would be very difficult to check claims for allowances in respect of "weekly premiums."

IRISH LIGHT RAILWAYS.

MR. HALLEY STEWART (Lincoln, Spalding): I beg to ask the Secretary to the Treasury whether Mr. Price's line in Galway, where Mr. Barton acted as a Commissioner representing the Board of Works, under the Light Railways Act of 1889, and Mr. Barton's line in Donegal, where Mr. Price acted in a similar capacity, have been respectively approved by the Board of Works, in preference to other lines in the same districts, and large sums of money recommended for their construction; and what are the amounts so recommended; whether he is aware that considerable dissatisfaction is felt in the locality at those decisions; and whether the Treasury will withhold their sanction from fresh projects until they are inquired into by a Commission, which shall not include persons with a pecuniary interest in any of those schemes?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I answered this question to the hon. Member for North Dublin a few days ago. I am not aware of any local discontent with the decisions of the Board of Works, nor of any further contemplated schemes into which it will be necessary to inquire.

Sir Ughtred Kay-Shuttleworth

WEST KERRY LIGHT RAILWAY.

MR. HALLEY STEWART: I beg to ask the Secretary to the Treasury whether the Board of Works have recommended a large grant of money, and if so, how much, for the West Kerry Light Railway, under the Act of last Session; whether an Order in Council, having the effect of an Act of Parliament, is now in force, sanctioning the construction of this same Railway and the imposition of a baronial guarantee of dividends on £112,000 of capital, the entire estimated cost, and what is the estimate now; whether a contract was entered into by the Company with a solvent contractor to carry out and complete the undertaking for the guaranteed capital, and whether this contract was cancelled on the passing of the Light Railways Act; whether, under these circumstances, this line comes under the provisions of the Light Railways Act and the special circumstances of the case that demand State aid for such a Railway; and whether the Treasury have yet sanctioned the recommendation of the Board of Works in this case, or whether they have any intention of doing so?

MR. JACKSON: I understand that in 1885 a presentment was made for a baronial guarantee of 4 per cent. on a capital of £112,000 for a line between Killorglin and Valentia, somewhat similar to the line that has recently been inquired into under the Light Railways Act, 1889, but the Order in Council authorising the line was not taken out till 1889. The cost of construction, &c., for the line contemplated in 1885 was estimated by the promoters at £120,156, but by the Board of Works at £147,000. I have no knowledge of any contract having been made or cancelled for the completion of the undertaking for a sum of £112,000. As regards the proceedings under the Light Railways Act of last Session, I am informed that a line from Killorglin to Valentia was scheduled by the Lord Lieutenant in Council under that Act. A promotion company calling themselves the West Kerry Light Railway Company took the necessary steps under the Tramways Acts to have their scheme inquired into; and the Board of Works, in obedience to statute, held an inquiry and reported on the proposals submitted to them. The cost of the line

is estimated by the Board at £155,000. The Treasury have come to no decision as regards the recommendation of the Board of Works.

THE HERRING FISHERIES (SCOTLAND) ACT.

MR. ANSTRUTHER (St. Andrews): I beg to ask the Lord Advocate whether his attention has been drawn to a decision of the Lord Justice Clerk, presiding in the Justiciary Appeal Court, in the case of "Lewis *v.* Renton," as reported in the *Scotsman* of the 6th March; and whether the effect of the decision of the learned Judge (as so reported) is to annul the proviso of the 6th section of the Herring Fisheries (Scotland) Act, 1889, which provides that nothing therein contained shall affect the powers of the Fishery Board under the 4th section of the Sea Fisheries (Scotland) Act, 1885; and, if so, whether he will draw the attention of the Secretary for Scotland to the necessity of amending the Herring Fisheries (Scotland) Act, 1889, so that it may not seem to affect the powers of punishment for offences against the Sea Fisheries Acts, and against bye-laws of the Fishery Board, conferred by the Sea Fisheries (Scotland) Act, 1885?

*MR. J. P. B. ROBERTSON: My attention has been called to the decision mentioned by my hon. Friend. According to the construction adopted by the Court the combined effect of the Act of 1885 and the Act of last year in the matter of penalties is that the penalties prescribed by the later Act are now alone in force, even in the case of offences under the earlier Act. There does not seem to be any reason to consider that the former penalties were heavier than is necessary to be effective; and I hope that means may be found during the present Session to reinstate them in legislative force.

MR. ANSTRUTHER: I shall ask leave, on Thursday, to bring in a Bill to amend the Scotch Fisheries Act of 1889.

THE LEITH INDUSTRIAL SCHOOL.

MR. MUNRO FERGUSON (Leith): I beg to ask the Secretary of State for the Home Department whether he is aware that, owing to the Leith Industrial School having become too small, a new school was erected for 60 girls at a cost of £5,000, the plans being approved by the Government; whether there has been a recommendation to reduce the certificate of the old school from 150 to 120, thus rendering nugatory the expenditure of £5,000, and impeding the magistrates in the administration of the Industrial Schools Act, 1866; and whether the certificate of the old school for 150 will be renewed?

MR. MATTHEWS: It is not correct to say that the school was ever certificated for 150 inmates, for which number there is no accommodation. The certificate was for 80 boys and 40 girls, though of late years this limit has not always been strictly observed. The new girls' school was built mainly to put an end to the system of having boys and girls in the same building, and partly to increase the total accommodation. The certificate for this new school is for 60 girls, and that for the old school, henceforth to be exclusively used for boys, authorises the reception of 120 boys. The existing accommodation is not sufficient to admit of a larger number with due regard to the health of the inmates.

DESTRUCTION OF CONTRABAND TOBACCO.

MR. HULSE (Salisbury): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the seizure, and subsequent destruction, of large quantities of contraband tobacco and cigars; and whether any steps could be taken whereby all such tobacco so forfeited to the Crown might in future be distributed among the inmates of the Naval and Military Hospitals, instead of being absolutely wasted, as heretofore?

*MR. GOSCHEN: Attention has been frequently called to the seizure and destruction of contraband tobacco and cigars, and it was formerly the practice to sell them. But this practice was abandoned owing to representations that the smuggled tobacco thus sold displaced a corresponding amount entered for home consumption and injured the honest trader. A similar objection would apply to distributing seized tobacco to the inmates of the Naval and Military Hospitals. But I am bound to say it is a matter not entirely unworthy of consideration.

THE ROYAL NAVAL RESERVE.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the First Lord of the Admiralty how many of the fishermen of the East Coast of Scotland are enrolled in the Royal Naval Reserve; whether the naval officers retired in the prime of age are required to earn their retiring annuities by service in the reserve; and how many such officers now serve in the reserve forces apart from the full-pay officers serving in the Coast Guard?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The number of fishermen so enrolled is 2,571. Pensions are given for past and not prospective service. All retired officers are liable to serve if called out by Her Majesty in the event of war or emergency. They, however, do not form part of the so-called Naval Reserve, nor is it advisable that they should.

SIR G. CAMPBELL: Are none of the naval officers in the Naval Reserve?

*LORD G. HAMILTON: No; the Naval Reserve is altogether composed of officers and men in the Mercantile Marine of fishermen.

THE POSTAL UNION.

MR. HENNIKER HEATON: I beg to ask the Postmaster General whether, as the Australian Colonies are not in the Postal Union, ocean penny postage could be established to Australia without interfering with the Postal Union; whether, under the Postal Union regulations, any two Powers signing it may make a special arrangement concerning themselves only; whether there is a special clause in the said regulations which would enable England to establish ocean penny postage with the United States, by and with the consent of the United States Government; and whether Great Britain could withdraw, if necessary, from the Postal Union by giving six months' notice.

*MR. RAIKES: As the Australian Colonies are not in the Postal Union it would presumably be within the competence of Her Majesty's Government to establish a penny postage to Australia without interfering with the Postal Union. It is not likely that any Government in this country would take such a step without due consideration of the wishes and interests of the Australian Colonies. Under the Postal Union regulations no two Powers, parties to the convention, could make special arrangements concerning themselves only, at variance with the fundamental principles of the Union. The only latitude allowed is to neighbouring countries, which, within a radius of 30 kilometers, are permitted to come to mutual arrangements for the adoption of lower rates of postage. There is no special clause in the convention which would enable this country to establish ocean penny postage with the United States with the consent of the United States Government. Great Britain could certainly withdraw from the Postal Union by giving a notice of 12 months, if Her Majesty's Government thought it wise to incur the risk of cutting off its postal arrangements with the rest of the civilised world.

JOINT STOCK COMPANIES.

MR. LENG (Dundee): I beg to ask the Secretary to the Treasury whether it is the duty of the Registrar of Joint Stock Companies at Somerset House to exercise reasonable care and judgment, in order to prevent new companies being registered with names so closely resembling those by which subsisting companies are already registered, as to be calculated to cause complication and confusion in the transaction of business, and even to mislead the public as to the identity of the companies; whether his attention has been called to the fact that a company designated the Alliance Trust Company, Limited, was registered on the 21st April, 1888, that the Alliance Trust and Investment Company, Limited, and the Alliance Investment Company, Limited, were registered in 1889, and the Alliance Mortgage and Investment Company, Limited, in 1890; and whether he will call the attention of the Registrar to the similarity of these titles, with the view of preventing for the future the registration of companies with almost identical designations?

*SIR M. HICKS BEACH: Yes, Sir, by Section 20 of "The Companies' Act, 1862," it is enacted that—

"No company shall be registered under a name identical with that by which a subsisting company is already registered, or so nearly resembling the same as to be calculated to deceive."

My attention has not been called to the companies mentioned by the hon. Member. The Registrar decides the matter, unless he is in doubt or unless some appeal is made to the Board of Trade. In the cases to which the hon. Member refers the Registrar did not think that the names resembled each other so closely as to be calculated to deceive, the two most nearly alike, namely: the "Alliance Trust," and the "Alliance Trust and Investment," carried on business in London and in the North of Scotland respectively, and the Registrar thought that the introduction of the word Investment and the surrounding circumstances were sufficient to prevent confusion.

INCOME TAX ON LICENSED HOUSES.

LORD RANDOLPH CHURCHILL (Paddington S.): I beg to ask the Chancellor of the Exchquer what is the estimated difference, if any, made by the District Commissioners of Income Tax in the value of assessment for Schedule A between houses licensed for the sale of intoxicating liquors and other houses similarly situated, but not so licensed; and whether it is the fact that a house so licensed is taken into consideration by the Inland Revenue Commissioners in assessing values under any of the Death Duty Acts?

*MR. GOSCHEN: From certain inquiries made in typical cases in the Metropolis and other towns I find the difference is roughly estimated to amount to an increase of about 70 per cent. on licensed over unlicensed houses, but I am unable to commit myself to these figures being general throughout the country. The answer to the second question is, Yes. The Succession Duty would follow the higher assessment under Schedule A in the case of a freehold property, and if it were leasehold property the saleable value would be increased for purposes of probate, and the goodwill would also be subject to Probate and Legacy Duties.

THE LUNACY COMMISSIONERS.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary of State for the Home Department whether he has observed at pp. 106—7 of the Lunacy Commissioners' last Report, that the number of single private patients registered in their office on 1st January 1889, is stated to be 442; can he say if this includes all the single patients known to the Commissioners; and do the Commissioners take any special steps to discover the existence of unlicensed houses in which one or more persons alleged to be mentally affected are detained; and, if not, will he consider the advisability of issuing some instructions on the subject?

*MR. MATTHEWS: I am informed by the Lunacy Commissioners that the number of single patients mentioned in the Report for 1889 included all the single patients at that date known to the Commissioners. The Commissioners have no power to visit a house suspected of containing a lunatic in illegal charge—*i.e.*, of whom charge is taken for payment. When they receive information which leads them to suppose that a person is being detained as a lunatic illegally, they cause inquiry to be made through the police, by means of an Order to visit issued by the Lord Chancellor or otherwise, and if evidence can be obtained establishing an infringement of the law they prosecute the offender. The Commissioners have also published in the medical and other journals cautions against breaches of the Lunacy Laws.

EMIGRANTS.

MR. G. OSBORNE MORGAN (Denbighshire): I beg to ask the President of the Board of Trade whether, in view of the large and increasing number of persons described in the monthly Emigration Returns as proceeding to countries "other than the United States, British North America, and Australasia," it would be possible in these Returns to particularise the places to which such emigrants go, especially in the case of persons emigrating to our South African Colonies?

*SIR M. HICKS BEACH: I have given directions that the information suggested by the right hon. Gentleman shall in future be given in the monthly Emigration Returns.

THE WELSH SUNDAY CLOSING ACT.

MR. G. OSBORNE MORGAN: I beg to ask the Secretary of State for the Home Department whether he can now state when the Report of the Royal Commission on the operation of "The

Sunday Closing (Wales) Act, 1881" will be issued?

*MR. MATTHEWS: The Report of the Commission on Sunday Closing in Wales has been signed by the Chairman, and is now being signed by the other Commissioners, some of whom are in the country. It will be in the printers' hands in about a week, and its issue may be expected shortly afterwards.

THE LLANEDI NATIONAL SCHOOLS.

MR. LLOYD MORGAN (Carmarthen, W.): I beg to ask the Vice-President of the Committee of Council on Education whether he is aware that, in consequence of the unhealthy and dilapidated condition of the Llanedi National Schools, they have been repeatedly condemned by Her Majesty's Inspectors; that the inhabitants convened a meeting in accordance with the requirements of the Act of 1870, and subsequently confirmed by a poll their desire for the formation of a School Board; whether, on the 23rd of January last, the Education Department issued an Order for the formation of a School Board, but subsequently recalled it by a telegram, so that up to this date nothing has been done to comply with the wishes of the ratepayers; what further steps the Department propose to take in this matter; and whether there are any precedents for its action in this case?

THE VICE-PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The result of careful inquiry has been to show that there is no reason for any further delay, and the Order for the formation of a School Board for Llanedi has been issued accordingly. There are many precedents for the action of the Department in suspending it temporarily.

THE ASSIZES RELIEF ACT.

MR. LLOYD MORGAN: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the repeated observations of Mr. Justice Hawkins and other learned Judges, in their addresses to Grand Juries, on the great hardship to prisoners by the operation of "The Assizes Relief Act, 1889," in having to remain in prison until the holding of the next Quarter Sessions, notwithstanding that an Assize is held in the interval; whether he will cause inquiries to be made as to the number of prisoners whose trials have been thus delayed, and the length of such delay; and, should the result of the inquiry prove that such hardship exists, will he take steps to secure an amendment of the law in that respect?

*MR. MATTHEWS: My attention has been called to the observations made by Mr. Justice Hawkins. I have not been informed that other learned Judges have made similar criticisms on the principle of the Assizes Relief Act. I will collect information, as suggested, to ascertain what number of prisoners have had their trials delayed and the length of such delay; should it appear that the advantages of this recent legislation are purchased at the cost of undue hardship to prisoners I will call the attention of the Lord Chancellor to the subject. It was a necessary result of the legislation of last year that there should be some delay.

SEVERE PUNISHMENTS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the observations made at the Central Criminal Court on the 6th instant by the Lord Chief Justice of England, relative to a sentence of two years' imprisonment with hard labour imposed by Sir William Hardman at the Surrey Sessions, for the offence of passing fictitious cheques, that he "was sure that no Judge could have passed such a sentence," and that two years' imprisonment with hard labour was a punishment of "terrible severity;" whether it is the fact that whilst this punishment of "terrible severity" is rarely, if ever, given by the superior Judges, it is frequently imposed by Courts of Quarter Sessions; in how many cases has this sentence been imposed during the last five years at the old Surrey Sessions (now County of London, south side); and whether he will take any steps, by legislation or otherwise, to secure conformity by Courts of Quarter Sessions to the practice of the superior Judges in this matter?

*MR. MATTHEWS: Yes, Sir, my attention has been called to the observations referred to; but I do not find

that the Lord Chief Justice said he "was sure that no Judge could have passed such a sentence." The judicial statistics do not discriminate between sentences passed at Assizes and Quarter Sessions, nor between sentences of two years and one year and upwards; and I am not in possession of the necessary information to enable me to give an accurate reply to the second paragraph. I have no facts before me to justify the suggestion that the sentences of Courts of Quarter Sessions are more severe or vary more than those of superior Judges, and it is not the intention of the Government to propose legislation on the subject. I am informed that out of more than 2,800 prisoners tried at the Surrey Sessions, during the last five years, 33 have been sentenced to two years' imprisonment with hard labour, and of these, 10 were gross cases of indecent assault on children, boys, and women.

SCOTCH CROFTER EMIGRANTS.

DR. M'DONALD (Ross and Cromarty): I beg to ask the Lord Advocate whether his attention has been directed to a letter, published in the *Scottish Highlander* newspaper a fortnight ago, signed by four of the crofters sent out by the Government to Canada in the spring of last year; if so, whether he can inform the House as to the truth of the following statements contained in the said letter, namely:—

"We were left (after landing) at Halifax for 27 hours on one slice of bread and a small bit of cheese, which told on the health of the women after sea sickness with suckling children.

"Of every thing which Mr. MacNeil promised us before we left, not a single word was fulfilled.

"Some of us were obliged to stop in cars for three weeks, some six and seven families in each during that time.

"They (the Canadian officials) would tell us Mr. MacNeil had not the least authority from the Board to make such promises.

"Families came to a very unhealthy state for the want of accommodation";

whether he will inquire into the truth of these and the other allegations in the said letter, as to the men being compelled to work for nothing till they protested and got 1·80 dollars a day, but most of them nothing, that half of the food given them was eaten up by vermin and destroyed by wind and rain, that all the money granted to them was now spent and that they are on the verge of starvation, and that funds and clothing were collected for them at Winnipeg; and whether he will take care that for the future any promises made to crofter emigrants are fulfilled?

*MR. J. P. B. ROBERTSON: My attention has been directed to the letter referred to. I am informed that there was some unavoidable delay at Halifax; but there is no reason to believe that there was any scarcity of food, as the agent who met the crofters was provided with funds for their support until their destination was reached. Printed particulars of the emigration scheme were supplied to the crofters, and the Colonisation Board are not aware of any promise made by Mr. MacNeil which has not been fulfilled. As some of the emigrants were dissatisfied with the land allotted to them they lived in the cars until they had selected allotments for themselves. There was, unfortunately, an insufficient supply of car accommodation, and this, combined with the very long journey, may have to some extent temporarily affected the health of some of the crofters. The only work the emigrants were asked to undertake was moving the timber for their own houses and other small matters connected with the settlement; some refused to do this without payment, and money was advanced to them which was deducted from the grants. There is no reason to believe the allegations in the latter part of the question as to the food, and it is not the case that they are on the verge of starvation. It is the case that the original advance of £120 has been expended, and I have already stated in the House that some extra clothing had been supplied to them from Winnipeg. As regards the last paragraph of the question, I have no information to lead me to believe that the promises made to these crofters have not been fulfilled.

NAVAL ACCIDENTS.

MR. LABOUCHERE (Northampton): I beg to ask the First Lord of the Admiralty whether his attention has been called to the fact that Monsieur Barbey, French Minister of Marine, replying to Admiral Vallon in the French Chamber, said that accidents in the French Navy are much fewer than in those of other countries, and

added, referring to the English Navy, that, in the last 36 months, there had been 39 accidents, which had cost the lives of 80 men killed without counting the wounded, and of several million of francs; and whether this statement is correct; and, if so, what steps are being taken to prevent in future so heavy a loss of life and public money?

*LORD G. HAMILTON: The hon. Member has contrived in his question to thoroughly misunderstand the purport of the speech made by M. Barbey, the French Minister of Marine, on March 8. M. Barbey did not say that accidents in the French Navy were much fewer than in those of other countries, nor did he use any words capable of that meaning. His speech was made in reply to an attack upon French naval administration in consequence of the machinery of a French cruiser (recently commissioned for a distant station) having so broken down as to necessitate its recall and the substitution of another vessel in its place. After having fully explained the cause of the breakdown and the instructions issued to prevent a repetition of similar accidents, he proceeded to point out the delicacy and complexity of the machinery on board modern war vessels, and how subject such machinery must be to accident, not only in the French Navy, but in other Navies. By way of illustration, he referred to the British Navy, and said that he had a list of 39 accidents which had occurred during 38 months (not 36 months, as stated in the question), and which cost 80 lives and entailed certain expenditure. As is self-evident from the context, the object of referring to our Navy was not to depreciate it, but to show that such accidents occurred even in the best regulated and managed Navies. I cannot say if this list is correct unless I know what is the definition of an "accident," whether it refers to machinery alone or includes gun accidents, collisions, and the ordinary casualties of a hazardous profession. I may, however, state, looking to the number of British ships permanently in commission, to the number temporarily engaged in the manœuvres of the last three years, to the work and duties upon which they are employed, that the accidents (using that word in its broadest sense) which occur are small in number and contrast most favourably with those of any other Navy.

BLIND, DEAF, AND DUMB IN SCOTLAND.

MR. JAMES CAMPBELL (Glasgow and Aberdeen Universities): I beg to ask the Lord Advocate whether, in consideration of the recommendations of the Royal Commission on the subject, the Government propose to proceed this Session with legislation in regard to the education of the blind and the deaf and dumb in Scotland?

*MR. J. P. B. ROBERTSON: The Report of the Royal Commission and other representations on the subject have been under the careful consideration of the Government, and they hope, if time permits, to introduce legislation dealing with the education of blind and deaf and dumb children in Scotland.

STATISTICAL DEPARTMENT WRITERS.

MR. PICKERSGILL: I beg to ask the Secretary to the Treasury whether so long ago as March, 1888, the Board of Customs recommended that certain writers engaged in the Statistical Department should be promoted to the Lower Division; and, having regard to his reply given on the 13th March, 1888. to the Member for South-West Bethnal Green, that "the question how best to deal with them is now before the Treasury," what is the explanation of the protracted delay which has occurred, and when will the Treasury arrive at a decision in the matter?

MR. JACKSON; I understand that the Board of Customs did not, in March, 1888, recommend that any writers engaged in the Statistical Office of Customs should be promoted to the Lower Division. They did recommend some writers in other Departments for promotion. I understand that the writers in the Statistical Office, who are doing work a little better than that generally done by writers, are being paid a special rate for the special work.

MR. PICKERSGILL: Is it not the fact that the special rate of pay was represented as a mere temporary and provisional arrangement?

MR. JACKSON: Not that I am aware of.

THE FORTH FISHERMEN.

MR. MUNRO FERGUSON: I beg to ask the Lord Advocate whether he is

aware that great dissatisfaction prevails amongst the Forth fishermen because of the insufficiency of the safeguards afforded to them by the fishery cruiser *Vigilant* within the protected waters; that this vessel not only lies for many consecutive days in port, but is habitually there at night when she should be on the fishing grounds; that she has no practical fisherman on board who could indicate when the depredations of the trawlers can be watched, and is therefore on this account alone almost useless; and whether he will take steps to secure the efficient discharge of the duties for which the *Vigilant* was supplied?

*MR. J. P. B. ROBERTSON: The information upon this subject has not come to hand. I must therefore ask the hon. Gentleman to postpone the question.

AFRICAN LIQUOR TRAFFIC.

MR. HOWORTH: I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the widespread feeling that the importation of spirits into Africa should be as much as possible curtailed and limited, he can inform the House what has been the policy of the Royal Niger Company on this question, and what has been the increase or diminution in the amount of spirits imported into the territories controlled by the Company since it was constituted?

*SIR J. FERGUSSON: The policy of the Niger Company has been to limit the spirit trade in the Lower Niger, and as far as possible to check altogether the importation of spirits into the Mussulman territories on the Central Niger and Benué. With this view a duty of 2s. a gallon has been imposed on imports into the river, which is doubled above the confluence of the Benué. As far as can be ascertained, the imports—which amounted in 1884 to 420,000 gallons, and in 1886, when the Charter was granted, to about 250,000 gallons, exclusive of trade in native canoes—have fallen steadily, till in 1889 they amounted to under 70,000 gallons.

THE CHARITY COMMISSIONERS.

MR. CAUSTON (Southwark, W.): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) if he will explain the reason of the practice of the Charity Commissioners never to entertain any applications for a scheme from the trustees or governors of any Charity which is not an open application, leaving the Charity, its funds, and administration wholly at the mercy of the Commissioners; whether, in all new schemes, the Commissioners make a practice of inserting clauses rendering all fresh appointments of trustees void until confirmed by them; and whether the Commissioners are legally empowered, in framing new schemes, to confer upon themselves powers of appointing auditors, examiners, and other officers at the expense of the Charity without consulting the trustees or governors?

MR. J. W. LOWTHER (Cumberland, Penrith): It is conceived that the Commissioners would not conform to the provisions of the Charitable Trusts Acts as to dealing with objections and suggestions made on the publication of draft schemes if the applications are made in a restricted form. It has not been the practice in new schemes to insert clauses rendering all fresh appointments of trustees void until confirmed by the Commissioners; but in the case of co-optative trustees it has been the practice to do so where publicity of appointment is not likely to be otherwise secured. The Commissioners apprehend that they have power to insert in their schemes all powers and provisions that may be thought by them expedient for carrying the objects of the schemes into effect.

THE EASTERN SOUDAN.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Under Secretary of State for Foreign Affairs if the attention of the Government has been directed to the statement in the *Daily Telegraph* as to the great distress and starvation in the Eastern Soudan; and if Her Majesty's Government propose to take any action; and, if so, in what manner?

SIR J. FERGUSSON: Her Majesty's Government have been informed that great distress and destitution exist in the Eastern Soudan. With a view to the relief of the destitute in the neighbourhood of Suakin, a Committee has been formed, and many persons are daily fed. The Egyptian Government have contributed to the funds. The importation of grain is now permitted through certain ports, and the unhappy condition

of the people has largely influenced this relaxation in spite of manifest military objections.

MAHOMMEDAN IMMIGRATION INTO TURKEY.

MR. BRYCE (Aberdeen): I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been called to the statement in the *Times* of Saturday, the 9th instant, that the Turkish Government was making preparations to receive and settle in its territories 40,000 Mahommedans, who were about to quit their homes in the Caucasus; whether he can inform the House from what part of the Caucasus these intending emigrants come, and in what part of the Sultan's dominions it is intended to place them; and whether Her Majesty's Government, bearing in mind the lamentable consequences which have followed the intrusion of Circassians in various parts of European and Asiatic Turkey, will represent to the Ottoman Government the impolicy of planting settlements of Mahommedan mountaineers in districts inhabited by an agricultural Christian population?

*SIR J. FERGUSSON: In reply to inquiries which were addressed by telegraph to Her Majesty's Ambassador at the Porte, His Excellency reports that many thousand Mussulman inhabitants of the Caucasus, having some years ago been moved from the mountains to the plains, and being dissatisfied there, have applied to the Turkish Government to permit them to establish themselves in Ottoman territory. Sir W. White states that the matter is under consideration, that the Porte is favourably disposed, but arrangements are not completed; that 20,000 of the intending emigrants are males, and the Russian Government are said to be willing to let them go under certain conditions, but before they move localities will have to be selected by delegates probably in provinces of Adana and Konich. Her Majesty's Government have no ground of objection to the migration of a Mussulman community to Ottoman territory on conditions agreeable to the two Powers concerned, and to the community itself.

*MR. BRYCE: Have Her Majesty's Government any objection to make a representation in order to prevent troubles and disorders, which might eventually lead to insurrections and war?

*SIR J. FERGUSSON: The hon. Gentleman will see that that question involves an hypothesis. I have no reason to say that there will be any trouble of the kind.

*MR. BRYCE: I beg to give notice that I will take the first available opportunity for calling attention to the matter, which is one of great gravity.

ARREST AND HANDCUFFING FOR NON-PAYMENT OF COSTS.

MR. BRADLAUGH (Northampton): I beg to ask the Attorney General whether his attention has been called to the fact that, on Sunday, 2nd March, one Hoyle, a bailiff of the Wakefield County Court, assisted by other bailiffs, arrested Henry Ward on a commitment order for non-payment of 13s. 10d. costs, and handcuffed the said Henry Ward, and conveyed him thus handcuffed through the streets to Wakefield gaol; and whether such arresting and handcuffing is in accordance with law?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In answer to the question of the hon. Member I have to state that the high bailiff of the Wakefield County Court informs me that on August 8, 1889, a warrant was issued for the arrest of Henry Ward for disobedience to an order made on a judgment summons for the payment of 14s. 7d. debt and costs. On November 25 a bailiff of the County Court arrested Ward, who asked to be allowed to fetch his coat, and, being permitted to do so, took the opportunity of escaping from custody. Search was made, but without success, until Sunday, March 2, 1890, when two bailiffs entered Ward's house and told him they had come to re-arrest him. Ward threatened the bailiffs with violence, and attempted to seize a poker in the room. The bailiff warned him that if violence was attempted he would have to use handcuffs. Ward then assaulted the bailiff, who handcuffed him and took him to the police office, where he was temporarily detained in order to give his wife time to get the money, so that it might not be necessary to lodge him in gaol. Upon the above facts the arrest was, in my opinion, in accordance with law, inasmuch as a person who has wrongfully escaped from the custody of

the law may be re-taken at any time, as well on a Sunday as on a week day. The bailiffs were also justified in handcuffing Ward, having regard to his previous escape and the violence he had shown. I should add that when, subsequently, the money not having been paid, it was necessary to remove the prisoner to gaol, the handcuffs were not used, as the prisoner no longer showed signs of violence.

ENDOWED SCHOOLS.

SIR LYON PLAYFAIR (Leeds, S.): I beg to ask the First Lord of the Treasury whether the Government intend to bring in a Bill to carry into effect the recommendation of the Select Committee on Endowed Schools (1887)—

"That the examination of Endowed Schools and inspection of the state of buildings and apparatus, and of the discipline and general working, are subjects of urgent importance,"

a recommendation which he, speaking on behalf of the Government on 27th April, 1888, stated it was their intention to carry out, "and that the system which prevailed in Scotland should be extended to England?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): A similar system was, so far as was applicable, extended to Wales by the legislation of last Session, and the Report of the Charity Commissioners for last year shows at length (pages 25-35) what has been done in the same direction in England. A Bill has now been prepared giving further effect to the same policy, and will be introduced as soon as the state of public business renders it possible to proceed with it.

BUSINESS OF THE HOUSE.

MR. STUART RENDEL (Montgomeryshire): I beg to ask the First Lord of the Treasury whether he is now able to name the day on which the Second Reading of the Tithes Bill will be taken?

*MR. W. H. SMITH: I am not yet able to name the day.

MR. S. RENDEL: Will it be before Easter?

*MR. W. H. SMITH: Yes, certainly.

In further answer to Mr. G. O. MORGAN and Mr. CAMPBELL-BANNERMAN (Stirling),

*Mr. W. H. SMITH said: The introduction of the Irish Land Bill will precede the Second Reading of the Tithes Bill, and both will be taken before Easter.

In answer to Mr. PICTON (Leicester) and Mr. DILLWYN (Swansea),

*MR. W. H. SMITH said: If we are so fortunate as to get a Vote on Account without discussion the Bills may be on the Paper on Thursday; and the Tithes Bill will be taken at an early hour.

COMMITTEE ON COLONISATION.

MR. MUNRO FERGUSON: I beg to ask the First Lord of the Treasury, when the Committee on Colonisation will be re-appointed?

*MR. W. H. SMITH: I hope my right hon. Friend the President of the Local Government Board will be in a position to put it on the Paper in the course of this week.

FIARS PRICES.

MR. MARK STEWART (Kirkcudbrightshire): I beg to ask the Lord Advocate what is the legal method of ascertaining the true value of grain in the Fiars Courts in Scotland; whether by taking evidence of the average prices of grain purchased direct from the producer, or the average prices of grain purchased through the middleman; and if the Government intend to propose any legislation this Session for amending the procedure of the Fiars Courts, and placing them on a more uniform and satisfactory basis?

*MR. J. P. B. ROBERTSON: The striking of Fiars prices is regulated by an Act of Sederunt passed in 1723. I have made inquiry in eight different counties in Scotland, and find that though the usual practice is only to take evidence of the prices paid to the producer, in some localities evidence is also taken of the prices paid to the middleman. I cannot hold out hope of any legislation this Session on this subject.

EMPLOYERS' LIABILITY BILL.

MR. BRADLAUGH: May I ask the Secretary of State for the Home Department when copies of the Employers' Liability Bill are likely to be circulated?

MR. MATTHEWS: I am not able to say precisely, but they will be in the hands of Members two days before I move the Second Reading.

AN ABSENT MEMBER.

MR. COBB (Warwick, S.E., Rugby): I wish to ask whether the attention of the First Lord of the Treasury has been called to the injustice that has resulted to the electors of Aston Manor in consequence of the 18 months' absence of the Member for that constituency? I also wish to know whether the Government has taken, or will take, steps to bring pressure to bear upon the hon. Member?

*MR. W. H. SMITH: My attention has been called to the subject by the question of the hon. Member himself. I regret the prolonged absence of any supporter of the Government. Such absence is not, however, unusual on either side of the House, and there are at present other Members who have been absent for a considerable time. I have reason to believe that the hon. Member for Aston Manor (Mr. Kynoch) will shortly return. The hon. Member for Rugby (Mr. Cobb) will then have an opportunity of imparting to the hon. Member for Aston his regret at his long absence. It is not my duty to interfere between a Member and his constituency, and I decline to interfere.

H.M.S. *CALLIOPE.*

SIR J. SWINBURNE (Staffordshire, Lichfield): I should like to ask the First Lord of the Admiralty whether any extra leave or indulgence will be given to the officers and crew of Her Majesty's ship *Calliope* on her arrival home?

*LORD G. HAMILTON: The hon. and gallant Member must be aware that it is not desirable that questions affecting naval discipline or seeking exceptional privileges for any particular ship should be put in this House to any representative of the Admiralty.

COMMONS.

Ordered, That a Select Committee be appointed to consider every Report made by the Board of Agriculture, certifying the expediency of any Provisional Order for the enclosure or regulation of a Common, and presented to the House during the last or present Sessions, before a Bill be brought in for the confirmation of such Order.

Ordered, That it be an Instruction to the Committee that they have power, in respect of each such Provisional Order, to inquire and Report to the House whether the same should be confirmed by Parliament; and, if so, whether with or without modification, and, in the event of their being of opinion that the same should not be confirmed, except subject to modifications, to report such modifications accordingly with a view to such Provisional Order being remitted to the Board of Agriculture.

Ordered, That the Committee do consist of Twelve Members, Seven to be nominated by the House, and Five by the Committee of Selection.

Ordered, That Sir Walter Barttelot, Mr. Bryce, Mr. Elton, Mr. Walter James, Mr. Story-Maskelyne, Mr. Richard Power, and Mr. Wroughton be Members of the said Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)

MESSAGE FROM THE LORDS.

That they have agreed to County Councils Association Expenses Bill, with Amendments.

That they have passed a Bill, intituled "An Act for the further Security of the persons of Her Majesty's subjects from Personal Violence." [Larceny Act, 1861, Amendment (Use of Firearms) Bill [Lords.]

And, also, a Bill, intituled "An Act to consolidate certain of the Enactments respecting Lunatics." [Lunacy Consolidation Bill [Lords.]

LARCENY ACT, 1861, AMENDMENT (USE OF FIREARMS) BILL [LORDS.]

Bill read the first time; to be read a second time upon Thursday, and to be printed. [Bill 190.]

LUNACY CONSOLIDATION BILL [LORDS.]

Bill read the first time; to be read a second time upon Thursday, and to be printed. [Bill 191.]

ORDERS OF THE DAY.

STATUTE LAW REVISION BILL [LORDS].—(No. 179.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(4.28.) MR. T. M. HEALY: This Bill differs materially in many respects from the Bill which the House was asked to pass last Session. No Victorian statute is included in the present measure, and there were many pre-Victorian Acts in last Session's Bill which

no longer appear. Last year the House of Lords passed a bulky measure proposing to repeal a great number of ancient Statutes which we were asked to agree to practically on the assurance that all was right. We now find that the present measure materially differs from its predecessor, and the House, I think, has some reason to complain of being asked to pass a Bill like this without one word of warning. It is remarkable that the Statute Law Revision Committee should have practically receded from their position in regard to the pre-Victorian Statutes. It will be somewhat startling to the historically-minded to find that one of the Acts which we were asked to repeal last year was Magna Charta. There is great confusion in this matter, especially as regards Lord Campbell's Act and other Acts affecting newspapers. For example, an English newspaper is obliged to give the name of the publisher and place of publication. It requires great research and trouble to find out whether this and other enactments apply to Ireland as well as to England, and after all this labour one finds that this particular provision did not apply to Ireland. I would urge the necessity of the Committee's compiling an index of local and personal Acts.

(4.30.) MR. WARMINGTON (Monmouth, W.): I very much doubt the wisdom of giving the Local Government Board power such as this Bill will give them in the matter of Turnpike Trusts, namely, to say when they shall become inoperative or be altogether wound up. The Bill provides for the repeal of certain Acts in the 2nd schedule, but I submit that such a power should be reserved to Parliament itself and not carried out by a Certificate issued by the Local Government Board. I do not think that such important matters as these should be delegated to the Statute Law Revision Committee.

(4.32.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): With reference to the observations of the hon. Member for Longford, I think they have been directed to points which are well worthy the attention of the House. The reason that there are now two Bills dealing with the subject is because it is desired to facilitate the early publication of another volume of the Revised Statutes; and it is hoped that the first Bill may be rapidly passed, it having been fully considered last year and containing no debatable matter. It only applies to Bills which it is absolutely necessary to repeal. I understand from the right hon. Gentleman the First Lord of the Treasury that if it is so desired this Bill shall go before a Committee upstairs. The second Bill will also go before the Select Committee, which will have the assistance of experts in its deliberations. The suggestion of the hon. and learned Member for Longford, which deals with the desirability of having an index to the Local and Personal Acts prepared, shall receive my attention. I was under the impression that there was an index down to a recent date; but I have no doubt the hon. Member has inquired into the matter, and I will promise to draw the attention of the Statute Law Revision Committee to it. In reply to the remarks of the hon. and learned Member for Monmouth, I think it is rather late in the day to complain of the delegation of this work by the House to a Committee. Neither do I think that his objection to the power proposed to be given to the Local Government Board to wind up certain Turnpike Trusts is well-founded. Many of these Trusts became practically obsolete 20 or 30 years ago, and I think the matter can best be dealt with by the Local Government Board, which will be in a position to make local inquiries and decide when the Trusts shall come to an end.

(4.35.) MR. T. M. HEALY: I hope the Committee will consider the desirability of repealing certain Acts in Ireland which have already been repealed in England.

*MR. H. H. FOWLER (Wolverhampton, E.): I did not quite understand the Attorney General to say that both Bills would be referred to a Select Committee.

SIR R. WEBSTER: Yes.

*(4.36.) MR. H. H. FOWLER: I desire to express my objection to the practice of allowing any Body such as the Statute Law Revision Committee to deal with so important a matter as that of repealing Acts of Parliament, the effect of which may in some cases be to materially alter the general law. This is really the work of Parliament, and should be undertaken by Parliament. No doubt, as a result

of the labours of the Statute Law Revision Committee, we shall get a cheap edition of the Statutes; but not even to gain that end ought we to run the risk of repealing legislation in this way. Upon the understanding that this Bill will go before a Select Committee and that its provisions will be thoroughly investigated by the Committee, aided by experts and by the Law Officers of the Crown, I am willing to consent to the Second Reading.

Question put, and agreed to.

Bill read a second time, and committed to a Select Committee.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

VESSELS OF WAR.

*(4.40.) MR. GOURLEY (Sunderland): In moving the Resolution which I have laid on the Table, I may say that I think the time has come when it is highly desirable that a Select Committee should be appointed to inquire how far the plans of the present shipbuilding programme are in harmony with the requirements of modern warfare or with the wants of the Empire. It is perfectly true that we have had at times Committees to inquire into and discuss these matters, but these Committees have invariably been Departmental Committees. So far back as the year 1859 Lord Derby's Government appointed a Committee to inquire into the alterations necessary consequent upon the experience gained during the Crimean War, and also into the respective merits of sailing and steaming vessels. That Departmental Committee unfortunately recommended the conversion of 19 ships of the line into screw vessels. We all know the result of that recommendation. It was that the money was literally thrown into the sea. The Committee unfortunately neglected to take heed of the experience gained during the Crimean War, and they also neglected to notice what had been done by the French Government, which at that time had commenced to build four ironclad ships. Then followed a new departure in the building of ironclad vessels, and the Admiralty built the *Warrior*. Another Committee was appointed—and that also was a Departmental Committee—in the year 1867. Another Committee, too, was appointed by the Admiralty to inquire into and sit in judgment upon the acts of the first Committee. A number of private shipbuilding firms in the country were asked to send in designs for ironclad ships; but only one of the designs sent in met with even partial approval, that design having been sent in by Mr. Land, of Liverpool. In the long run, the Admiralty adopted none of the designs, but rejected them all, and, as a result of that proceeding, the Comptroller of the Admiralty made a record in the books of the Department to the effect that he thought the Admiralty had acted with partiality, and that, instead of rejecting the designs and tenders of the private firms, which had been invited to send them in, they ought to have nominated an impartial Committee for the purpose of deciding how far and in what respect those designs should be adopted. The next inquiry was conducted by a Royal Commission, the appointment of which was not the outcome of Admiralty wishes for such an inquiry, but arose from the terrible disaster caused by the capsizing of the *Captain* and the loss of many hundreds of lives. The outcry which arose throughout the country in consequence of that terrible disaster compelled the Admiralty and the Government of the day to appoint a Royal Commission to inquire into the designs upon which the Admiralty were then building ships of war for the defence of the Empire. But even this Commission in 1871 was limited in its scope. It was limited with regard to its inquiries; it was directed to examine only as to the types of ship then being built and then on service in the Navy, but it was debarred from making inquiry into new types or designs of ships or new inventions. The first type of vessel as to which they inquired was of the *Monarch* class, which included the *Sultan*, the *Achilles*, and the *Devastation*. Then there was the ocean cruising class, including the *Invincible*, the *Iron Duke*, and the *Vanguard*. Another type of vessels was of the *Inconstant* and *Alabama* class, intended for the protection of the commerce of the country; and,

finally, there was the class of vessels intended for coast defence, which were of the *Cyclops* type. These, practically, were the only classes of vessels into which the Commission were allowed to inquire. They were, as I have said before, debarred from making inquiries into all new types or designs, with regard to ships or with reference to floating batteries or torpedoes, or any other kind of new invention. What did the Commissioners report with regard to these several types of ship? I do not propose to trouble the House at any length, but I will state as briefly as I possibly can the gist of their Report. It was that while approving of one class of ship—the *Devastation* class—they condemned the whole of the other classes. With regard to the *Monarch*, they said that it represented both in men and money a larger proportion of the British Navy than it was desirable, in their opinion, permanently to set up as a fighting machine. They also condemned the *Invincible* class. It is not necessary for me to quote their remarks as to that class, because we all remember that the first time two of the vessels came into collision in the Irish Channel, one of them, the *Vanguard*, sank immediately. One point they stated in regard to this type of vessel was, that it was too weak in structure; that the strength of the lower structure ought to be increased; and yet, although 20 years have passed since that recommendation was made, none of these vessels have been improved in that respect; and should they come into collision, or get grounded, the chances are that they will immediately founder. Then, again, the *Inconstant* or *Alabama* class was condemned because of want of speed and coal capacity, and also on the ground that the vessels were too big for the work for which they were required. I may add that the *Inconstant* class is now represented by the protected and unprotected cruisers. The Royal Commission condemned *in toto* the vessels of the *Cyclops* class, which were intended for coast defence, in consequence of their want of speed. There was also a complaint against them as to the imperfect arrangement of the watertight compartments; and, further, it was found that they were weak in the lower structure, and when employed in shallow waters they would be apt to go aground, so that it would be impossible to navigate them in such waters with anything like safety. I have read these extracts from the Report of the Royal Commission in 1871, and now the question naturally arises: What is our position with regard to the ships and designs which are being prepared by the Admiralty at the present time for the defence of the Empire? For many years after 1871, notwithstanding the recommendations of this Royal Commission, very little was done either by one Board of Admiralty or another to carry out those recommendations and to place the Navy in a proper condition. Up till about five or six years ago the only thing we used to hear from successive First Lord of the Admiralty was that so many tons of shipping had been produced during the year just concluded, and the First Lords for the time being would tell the House and the country that he had built so much more than his predecessor. In fact, there was a duel between the two sides as to the number of tons produced, and nothing whatever was said or done as to new designs of ships or guns. It was not until five or six years ago that, through the action of the Press, the rottenness of our Navy as compared with the Navy of France was exposed, and what was the consequence of that? It was that the Admiralty of the day immediately, without any objective plan, began to design and to build ships at haphazard, with the result that we now have a large number of battle ships and cruisers, as to the utility of which there is a considerable divergence of opinion among experts. Is the administration of the Admiralty as to designs better now than it was five or six years ago, or than it was in 1871? I shall be told that the system of control at the Admiralty is better than it was. But you must judge of a Department by its fruits. What is it that the Admiralty have given us in ships during the last few years? I must call the attention of the hon. Members to the results with regard to the few designs which have been completed. The *Impérieuse* and the *Warspite*, with all their stores on board, were to have 18 inches of armour above the water-line. But in their construction 430 tons more iron was used than was originally intended, and when the two vessels went to sea their armour was actually 18 inches below the water-line. The consequence was that these vessels,

instead of being armoured, were so far unarmoured, inasmuch as the armour was 18 inches below the water-line. Two other vessels—the *Ajax* and the *Agamemnon*—were built to steam 14 or 15 knots; but, when they were completed, it was found that, unless they deviated from the direct "compass" course, they could not be propelled more than nine knots. I come now to the *Colossus* and the *Collingwood*. We all know what occurred in the case of the *Collingwood*. In consequence of the defects which were found in her guns, she lay at Spithead for nine months as a monument of the failure of the Admiralty. Then, again, take the case of some cruisers of the *Scout* and *Mersey* class, which, after being brought from the private yards, were nearly all pulled to pieces. In consequence of the alterations which were required from the original designs, ships of the *Mersey* class cost nearly £50,000 for alterations. I consider that this condition of things is a disgrace to the Admiralty. I will pass from this to another point. I find that the condition of the Navy, with respect to guns, is scarcely credible. The great bulk of the ships in the Navy are still armed with the old muzzle-loading guns. There were 26 ships in the manœuvres last autumn which were still armed with the muzzle-loading guns. To have ships appearing on the Navy List as first and second-class ships armed with this gun is misleading not only Parliament, but the country also. I do urge that these guns should be replaced with guns of a modern type. The latest illustration with regard to Admiralty administration is the *Victoria*. This vessel was commissioned eight or nine months ago with a great flourish of trumpets, but, owing to defects discovered in the large guns, the vessel has only just been sent, or just made ready, for sea. Several questions have been asked in this House with regard to the guns of the *Victoria*. If the reports with regard to the trials of the guns be correct, they amount to this—that the guns, when tested at the full charge, "wobbled." [Lord G. HAMILTON: What reports?] The reports in the Press. Those are the only reports which the House has to guide it in such matters. As to the *Anson*, it was reported at the Naval Manœuvres that the electric apparatus required for firing the large guns got out of order, and the consequence was that for some time the vessel lay upon the water as useless for fighting purposes as a log of wood. I was at Gibraltar at the beginning of January, and the *Benbow* was also there at that time. It is notorious that one of the guns of the *Benbow* was said to have the same defect as was found in the guns of the *Victoria*. The *Trafalgar* was tried the other day, and in the *Times'* report it was stated that in firing one of the guns with a full charge right ahead, one of the beams, stanchion, and bow plates were damaged. This proves that the *Trafalgar* has not been finished with that structural strength which is needed in a huge ship which fires large guns. I maintain that the huge ironclads which are still being provided by the Admiralty are an utter waste of money. Before the eight ships mentioned in the Naval Defence Bill were laid down, they were condemned by such experts as Admiral Commerell and Lord Armstrong. Admiral Commerell said he had always been averse to these large vessels being built. It was like putting too many eggs in one basket, and smaller vessels would equally well serve our purpose. This is the opinion of one of our most able Admirals. Then Lord Armstrong speaking at the launch of a vessel of the cruiser class which had been built for the Italian Navy, said that at the steam trials it had obtained the highest speed ever obtained by any sea-going ship, and he had always held that that new class of ironclad would be more serviceable to the nation than armoured battleships such as were now being built. I think these opinions will satisfy the House that in laying down such vessels the Admiralty have made a grievous mistake. Indeed, the Department has been too much in the habit of providing ships of war without any, what I may call, objective grouping. The time has come when the House ought to have a Committee to supervise and ascertain what the Admiralty are really doing. We have learned one thing from the Naval Manœuvres, and it is that blockading an enemy's ports and convoy are things of the past. How, then, do the Admiralty intend in future to protect the country against attacks in our different channels, against our commercial, naval, and

military ports around the coast? How do they intend to provide protection against stray cruisers which might creep around points for the purpose of attacking unprotected harbours? One part of the Admiralty policy is to blockade an enemy; another part of their policy is to convoy ships in time of war. I hold, however, that they can do neither one nor the other, inasmuch as blockading is a thing of the past. Should it be intended to have naval manœuvres in the autumn, I hope that all the dodging witnessed about Bantry Bay last year will be abandoned, and that more modern tactics in the game of war will be practised. How do the Admiralty intend in their new programme to protect our channels, ports, trade routes, and colonies? One of the Admirals engaged in last year's manœuvres reported that he had shelled the City of Newcastle from a distance of nine miles. We might just as well be told that Calais had been shelled from Dover. Believing as I do that the Admiralty in the matter of all these designs, both of ships and of guns, are going on without any objective point in view, and without system with regard to grouping, or any plan of campaign, I hope the House will grant the Select Committee I am asking for.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words—

"A Select Committee be appointed to inquire into the designs under which Vessels of War are being built and equipped for the Navy,—(*Mr Gourley,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(5.15.) ADMIRAL MAYNE (Pembroke and Haverfordwest): I do not propose to occupy the time of the House at any length, but I should like to express my sincere hope that the House will not grant the Committee. Indeed, it would appear from the speech of the hon. Member that he really wants three Committees to inquire into the three matters he has brought before the House—the proper protection of our trade and commerce, the question of the guns, and the question of the design of our ships. Last year when a similar Committee was proposed by the hon. Member for Bradford, I asked who were to form such a Committee—who are the Members of the House competent to judge whether the ironclad vessels proposed by the Admiralty are of the right kind or not. I repeat the question now. We have already had a Committee of Naval Officers altogether outside the Admiralty, combined with the Chief Constructor and other experts. And as to the opinions of the two distinguished men whom the hon. Member for Sunderland has quoted, I think it will be found that Admiral Commerell, although in favour of smaller ships, never proposed to put large guns into little cockle-boats which would bob up and down in the sea in such a way that no steady aim could be taken with them. Then, with regard to the ship which Lord Armstrong built for the Italian Navy, it was not intended to put large guns in such a ship. She was not meant for a battleship at all. The hon. Member says that this type of ship is rapidly becoming more popular. Undoubtedly it is, but neither Lord Armstrong nor anybody else has even suggested it could take the place of a battleship; and so long as foreign nations have these ships, so long must we have them. The hon. Member has found fault with the limitations of Lord Dufferin's Committee. As a matter of fact, he will find, if he reads the evidence and the Report carefully, that, although the scope of Committee was to a certain extent limited, they by no means limited themselves in their Report, but that they expressed very distinct views as to what should be the character of our battleship. One of the results of their recommendations was the *Inflexible*, which is, at the same time, one of the most costly and the least effective of our battleships. Indeed, it is not a matter for wonder that these gentlemen, able as they were, did get into some sort of confusion after having so many persons before them, each recommending the adoption of different kinds of vessels. It was enough to puzzle any one, and I believe any such Committee of this House as is proposed would be still less able to avoid confusion. Besides, the opinions of experts have changed, even since Lord Dufferin's Committee sat, as to both the armour and the design of battleships. I believe the hon. Member for Cardiff, who is an expert in these matters, has

considerably changed his opinions as to the class of vessel which should be built. If we have arms of precision we must get the steadiest possible platform in order to secure the full advantage of these costly weapons. I am not going to follow the hon. Member into the question of the muzzle-loader and of the "wobbling" of the gun, for it seems to me that anybody who could describe the action of a gun in that way must have been himself somewhat in the condition the word expressed. I am altogether unaware how the muzzle of a gun could "wobble," in the ordinary acceptation of the term. The history of the guns, however, is no new one, nor is it to be remedied in the way suggested by the hon. Gentleman. The facts have been published in every newspaper in the country for the last year or more. There is no concealment, and over and over again we have been told that the most strenuous efforts are being made to remedy what we all know has been a great fault, and to provide the guns more quickly. Nobody, of course, doubts that our battleships should be most carefully designed, and no persons could have half the interest in urging this which the officers and men have, who have to go afloat in them. I will again say that such a Committee as is proposed could not possibly do any good; the responsibility must rest with the Admiralty, who, of course, before deciding on any particular design consult experts and officers.

*(5.25.) THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON, Middlesex, Ealing): I think there are conclusive reasons why the House should not assent to this Motion. Three years ago the hon. Member for Sunderland made a similar Motion, and it was not then favourably received by the House. Last year we had a most exhaustive discussion on the question, and the House then decided to place in the hands of the Admiralty the responsibility of carrying out the designs, the full details of which were laid before it. The designs which are being carried out at the present moment, in fact, have been more thoroughly discussed than the designs of any other ships ever built by the country. Last year I undertook before any battleships were built to appoint a number of naval officers to confer with the Lords of the Admiralty as to the designs of our warships, and a practically unanimous opinion was come to on the matter. The hon. Member for Cardiff challenged the decisions arrived at, and there was a further examination before the Society of Naval Architects, with the result that the designs of the Admiralty were almost unanimously approved. Subsequently a statutory obligation was placed on the Admiralty by Act of Parliament to complete the ships ordered. Contracts were then entered into, the ships were laid down, and they are now in course of construction. It would be absolutely impossible, therefore, in these circumstances, to appoint such a Committee as that proposed. I will go further, and say that if we want to get satisfactory designs I do not think we shall ever get them from the Select Committee of the House. I should like to remind the House that last year, when I spoke on the question of the designs of our ships, I said, speaking on behalf of the Admiralty, that the Board would do their best to meet the general wishes expressed both by the Service and the House; and in regard to all the matters particularly referred to, including higher freeboard, guns of greater elevation, more engine power, and other points, those wishes have been met. It is very easy to criticise the armament of the Navy; but it is essential that those who do so should bring a little knowledge to bear on the subject. The hon. Member has found great fault with the Admiralty because a large number of British ships are armed with muzzle-loaders; but our latest type of muzzle-loader is not inferior to the great majority of the breech-loading guns of foreign nations. It is not so easy to re-arm a ship as the hon. Member seems to believe. Such a work involves much more than the substitution of one gun for another, it necessitates the placing of new gun platforms, the re-arrangement of the magazines, and sometimes it requires almost the re-construction of the interior of a vessel. Some of our ironclads could not be re-armed at a less cost than £100,000. With regard to the 110-ton gun, a great many inaccurate and absurd statements have been made about it. If only the gun had an individuality, it could get an enormous amount of compensation in the Law Courts for the

damage done to its reputation. The hon. Member seems to think it wobbled at the muzzle whenever it was fired. Let me remind him that when these guns are officially tested they are fired, not merely with a full charge, but with a charge 25 per cent. in excess of a full charge. During the past year these guns have been subjected to the most exhaustive trials, and no gun was ever more severely tested than the one intended for the *Victoria*, which has been sent back to the contractors in consequence of some defects it showed. It will probably surprise the hon. Member to know that, in the opinion of Sir B. Baker, probably one of the foremost engineers of the day, who, in conjunction with Sir J. Fowler, designed the Forth Bridge, a gun of the length and weight of the 110-ton gun must, from its own weight, show some depression. The hon. Gentleman went on to speak of the *Trafalgar*; but, in reference to that vessel, it should be borne in mind that on all these turret ships of low freeboard it is anticipated that the whole of the deck will be shot away in action. Having given us his opinion of the ships of which he does not approve, the hon. Gentleman also gave his opinion of the ships of which he does approve, and in this category he mentioned the *Piemonte*. For my part, I do not wish to detract in any way from the performances of that vessel. The *Piemonte* has certainly exhibited a speed never before attained by a ship of that size, and carries an enormous number of guns; but I do not think she will be found to be a very comfortable sea-going vessel; and it is certain that no vessel of her construction can carry a sufficient number of men to man all her guns and a sufficient quantity of ammunition to meet the demands which might be made upon her for any length of time. It may be that she would prove useful to the Italian Government for the purpose of making a rush out of port upon some hostile cruiser; but, in my opinion, she would be entirely unsuited to the purposes of the British Navy, in which ships are wanted that are able to keep at sea and fight their guns in all weathers. After having examined very carefully into this subject with the assistance of my professional advisers, I have arrived at the conclusion that vessels of that character would not be suitable to the British Navy. I think I have now given sufficient reasons why the Committee should reject the proposal to refer the matter to a Select Committee, and I hope the majority of the House will accept the views I have stated.

*(5.33.) MR. SHAW LEFEVRE (Bradford, Central): I merely rise to say that I cannot support the Motion of the hon. Member for Sunderland to refer this question relating to our ships to a Select Committee. I do not believe that this House could form a Committee that would carry sufficient authority or weight with the country generally on so difficult a subject. I have myself long been of opinion that it would be desirable to appoint a Royal Commission, composed of the highest scientific and professional knowledge outside this House, with a view of considering the designs of ships of a larger class; in 1887 I made a proposal of that kind to the House. The noble Lord on that occasion said he did not propose to lay down any more ironclads of the larger type. But only two years had elapsed when last year the noble Lord made a great change in his policy and proposed to lay down eight battleships of the largest kind. If at that time my hon. Friend behind me had proposed that we should appoint a Royal Commission, such as I have suggested, I should have been ready to have given him my support; but this House has, after full consideration and discussion, agreed to adopt the proposals made by the present Board of Admiralty, and I believe that those eight vessels have already been laid down and advanced to a certain stage; I think, therefore, it would be useless for us at the present moment to ask the House even to appoint a Royal Commission. Much, therefore, as I regret the loss of an opportunity of appointing such a Commission, I think it would be useless at this moment to make the proposal. Should it, however, be intended to add any number of ironclads of the largest type to our fleet, I should be inclined to ask this House to consider whether it would not be advisable to appoint a Royal Commission. Looking back to the Royal Commission of 1871, presided over by Lord Dufferin, I have always considered that was a body of a very important character, and that it made a very valuable. The noble Lord

has told us that he has taken the advice of some 8 or 10 of the best professional advisers, and I am sorry he did not also call in some of the best scientific authorities, such, for instance, as Sir William Armstrong and other eminent men of that character. With regard to our Naval officers, I do not think that any advance which has been made in naval construction is attributable to them so much as to the scientific men of the day in and outside the Admiralty. I therefore think it would have been better if the noble Lord had taken into consultation some of those eminent scientists in addition to the professional advice he has sought. However, the thing is now done. The vessels have been commenced, and are somewhat advanced, and any fresh Commission or further advice on the subject would be useless. Under these circumstances, I hope my hon. Friend will not put the House to the trouble of a Division, but will content himself with the speech he has made, and the speech of the First Lord of the Admiralty, that has dealt with a number of interesting topics.

*Mr. GOURLEY: I beg leave to withdraw my Motion.

Amendment, by leave, withdrawn.

Main Question again proposed.

GREENWICH HOSPITAL FUNDS.

*(5.35.) Sir J. PULESTON (Devonport): As I find it would not be in order for me to move the Motion I have placed upon the Paper, namely—

"That a Select Committee be appointed to inquire into the subject of the Greenwich Hospital Funds and the payment of Greenwich pensions."

I will merely ask the First Lord of the Admiralty whether the Government are prepared to put the charges now made upon Greenwich Hospital Funds for Seamen's Reserved Pensions upon the Consolidated Fund? I hope the noble Lord will be able to give a satisfactory answer to this question.

*(5.36.) Lord G. HAMILTON: I can only speak again with permission of the House. This is rather an involved and complicated question. There has been a difference of opinion between the Treasury and the Admiralty for years as to whether certain charges should or should not be paid out of the funds of the Greenwich Hospital; the Treasury taking one view and the Admiralty another. We have to meet certain obligations and to make certain pensions to which certain pensioners are entitled, and to do this these are the only funds at our disposal; but I have been in communication with my right hon. Friend the Chancellor of the Exchequer upon the subject, and I think it will perhaps be better if the right hon. Gentleman will briefly state his view of the question.

*(5.37.) The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): The matter is one which involves somewhat ancient history, because it goes back as far as the year 1876. At that time the Treasury informed the Admiralty that they must still place those pensions on the Greenwich Funds. They said they could see no reason for the transfer of those pensions to the Consolidated Fund so long as the Greenwich Hospital funds were not insufficient to meet the charge. I have examined into the funds of the Hospital to see how far they are sufficient to meet those charges; but through the reduction in the interest in Consols, and other matters, I see that the balance of income over expenditure is now extremely small. If it should appear, as I think it possible, in looking into the matter, that the charges on the Fund are such as almost to exceed the income, looking at the liabilities which may be placed upon them, in that case the Treasury would consent to transfer some of the pensions, namely, those payable to men between 50 and 55 to the Naval Fund, and so far to relieve the Hospital from that charge.

Question put, and agreed to.

SUPPLY—NAVY SUPPLEMENTARY ESTIMATES, 1889-90.

Considered in Committee.

(In the Committee.)

1. £350,000, Supplementary, Naval Armaments.

*(5.48.) Mr. ROBERT W. DUFF (Banffshire): I wish to ask the First Lord of the Admiralty what course he intends to pursue—whether we are to have a discussion on Vote 1, and a discussion on the Supplementary Estimates?

LORD G. HAMILTON: I think it would be for the convenience of the Committee if we had a general discussion on Vote 1. I thought it would be more convenient if the Supplementary Estimates were discussed as usual.

*MR. DUFF: A discussion of the Supplementary Estimates will not be precluded?

*LORD G. HAMILTON: No.

(5.49.) MR. HANBURY (Preston): Sir, I have one or two general remarks to make on this Estimate, which it is very clear was made by the Admiralty at the last moment. We have the statement issued by the First Lord in regard to the Estimates for the coming year, and it is clear that at that time the Department had no idea whatever that this specific Estimate would have to be presented. He begins his statement by saying that the expenditure for the coming year would exceed the Estimate for last year by £110,000. Well, if he knew at that time that a £350,000 Supplementary Estimate was to be asked for, clearly that was not accurate. Therefore, it is clear that it came to the knowledge even of the First Lord so late as the first week in March, that this extra amount would have to be asked for this Ordnance Vote. That points to one or two conclusions in my mind. In the first place it shows pretty clearly that the way in which the Admiralty give these orders to the Ordnance factories is not very satisfactory. It shows that the Admiralty does not at the beginning of the year make a definite statement of what guns it requires. It trusts merely to chance, and takes what the War Office, which has control of this Vote, may give it. Only at the last moment is it found that the War Office is able to find guns and ammunition to the extent of £350,000 more than anticipated. That is not a satisfactory way of doing business as between the Admiralty and the War Office. Another thing is this—and it is what ought to be complained of—it shows that the Admiralty knows nothing of how its guns are to be supplied; it simply has to take from time to time what the War Office may give it. It is a point to which the Treasury have called attention, and I did hope that by this time, at any rate, they would have got things on a more satisfactory footing. There has been a very curious correspondence between the Admiralty and the Treasury; and the Secretary to the Admiralty, writing on the 18th May, 1889, said there was great distrust of the figures respecting the expenditure by the War Office, of which no account had yet been received. Have they had any account now of this money for which they are asking the Supplementary Estimate? They are asking for this extra money in March, 1890; and yet last year, even in May, they did not know what had been the expenditure by the War Office, or how it was to be accounted for, up till March of the preceding year. The Treasury says the Admiralty ought to insist on having every information from the War Office, month after month, week after week, of how the Navy is being supplied by the Ordnance factories. The Treasury says the Ordnance factories stand in the same relation to the Admiralty as ordinary contractors, and there should be no difficulty in obtaining the requisite information as to the progress of the work being done. The Admiralty ought to treat the War Office and the Ordnance factories exactly as it would any private contractor, and ascertain exactly whether its orders are being supplied or are not. The wording of the Supplementary Estimate is rather peculiar. It says the War Office "expects" that during the year they will exceed the Estimate. When is it expected? Only three weeks before the end of the year. Surely the War Office ought to be able to say exactly how much they can supply the Admiralty. Although it only "expects" to exceed the Estimates, yet the amount of the Supplementary Estimate, £350,000, is almost a fourth of the original Estimate. It is a very loose way of doing business, and we have some right to ask how the War Office and the Admiralty really do carry on the public business. Again, are the Admiralty satisfied that they are going to get value for this £350,000 during the current year? We do not think they got it last year. These March payments are always very suspicious, and they always are larger than the payments for the preceding quarters of the year. A great deal more work is turned out that more money may be claimed in the last quarter than in the three previous quarters. Last year, for instance, the charge for work done in the first three quarters was

£213,000; and during the last quarter it was £103,000. What is the Admiralty actually to receive in return for this £350,000? What guarantee is there that this ordnance will actually be supplied during the current financial year? I have some doubts whether this is not really to meet another difficulty. The Ordnance Factories' Vote is entirely distinct, I understand, from the Army Estimates. Inasmuch as the Ordnance Factory Vote has not been proposed, they have, of course, to get money to carry on the Ordnance Factories. I am afraid that this £350,000 is not actually being taken to pay for *matériel* supplied to the Admiralty, but that it is, practically, a sort of Vote on Account to carry on the Ordnance Factories during a portion of the coming year. If that be so, we ought to have it told us very distinctly. I am sure that just as confusion arose in the past so it will arise in the future if the Admiralty and the War Office are allowed to muddle up their accounts in this way. I should like to have an explanation of the very large increase under the heading "Small Arms and Miscellaneous." I find that the Supplementary Vote is almost as large as the original Vote. I should like a little more information on that point. Another question I wish to ask is whether out of the special fund set aside for ordnance, the contractors have supplied sufficient guns and *matériel* for the amount taken out of the fund? I want to know whether it is the fact that the special fund is being starved in order that this additional amount may be found. I have no further remarks to make upon this point. I am simply trying to get these accounts between the War Office and the Admiralty placed on a more business-like footing than they occupy at present, and in trying to do that I am sure I have the support of the Treasury.

*(5.59.) Lord G. HAMILTON: Sir, my hon. Friend is quite right in calling attention to the large amount of the Supplementary Estimate, and in asking for additional information. When we took over the Vote for naval ordnance from the War Office two years ago we were informed that at the commencement of the financial year we would be responsible for all the liabilities as to naval ordnance.

Mr. Hanbury

We had to commence with half a million of liabilities more than we anticipated. I watched the expenditure closely, feeling it to be of primary importance that the ships should not be kept waiting for guns or ammunition. Little by little, as the year went on, the prospect of requiring a Supplementary Estimate diminished until ultimately there was an actual surrender of £100,000. So that, in addition to the half million of liabilities we had taken over from the preceding year, we had another liability of £100,000, on account of the surrender in a subsequent year. In framing my Estimate, I had great difficulties to face. Some of the contractors have only recently increased their plant, and cannot say how it will work, consequently they are unable to give anythtng like a reliable forecast as to the amount of their output. And in the second place, their business is peculiarly liable to strikes. There have been during the past two years a number of strikes. We have a large order with the Maxim Nordenfelt Company, but owing to the difficulties they have had with their workmen, they are very much behind hand with the contract. We have not all the information to hand with regard to these matters that we could desire, but there has been a marked improvement this year over last year, and I hope that after further consultation with the War Office, and, if necessary, by the appointment of a Committee to go into these questions, we shall get upon a more satisfactory footing. The nation in one sense is better off, owing to the arrangements which have been made, because we have saved the interest on the £600,000 to which I have referred, and are only now called upon to pay for ordnance, which, if the contractors had only been up to time, we should have had to pay for some months ago. The hon. Member (Mr. Hanbury) asked if we should get value for our money this year. Well, we only pay on receiving certificates that the goods have been passed, and we are informed that there is no doubt whatever that the contractors will earn the whole of the £350,000 before the close of the present financial year. I have shown that this large Supplementary Estimate is caused by the surrender of two years' back, and if the Committee will consider that the

two Departments had to undertake a large, difficult, and complicated business it will admit that we have succeeded better than could have been anticipated; and though we shall have to face difficulties from time to time until the contractors have mastered the processes of manufacture, I am sure we have broken the backbone of our difficulties. I believe that in the future we shall have reliable information, and shall not be obliged to ask the House for a large Supplementary Estimate.

(6.8.) MR. HANBURY: The noble Lord has spoken a great deal about contractors, but they were not so much in my mind's eye as the Ordnance Factory itself. We want to have a check upon the officials there. We want to know distinctly what check the Admiralty has on the work of the Ordnance Factory, so as to know that it is being done—and done up to date.

*LORD G. HAMILTON: Last year a special Naval officer was appointed to inspect, on behalf of the Admiralty, the materials supplied by the Ordnance Department. In that way, independently of the information the War Office gives, we have reliable information of everything the Ordnance Factory has in hand.

(6.10.) SIR W. PLOWDEN (Wolverhampton, W.): With regard to the question just put—as to our getting full value for the money laid out—I wish to say that I have been reading the Report of the Comptroller and Auditor General, and I find it there stated that a large claim was made by the War Office for guns and warlike stores, and was not supported by any certificate from the Commissary General. Possibly a change may have been made in the method of arranging these things since the accounts were presented, but the Comptroller and Auditor General certainly draws attention here to the fact that payment should be made on production of certificate. A letter was addressed by him to the Admiralty on the 19th December, 1889, but no reply was received.

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): The course of practice between the War Office and the Admiralty in reference to payments for work done by the War Office for the Admiralty is that the Admiralty are satisfied with a certificate that the work has been done, and it is not the province or the duty of the Admiralty to examine the books of the War Office. That is done by the Comptroller and Auditor General in due course. We have no option but to take the certificate from those responsible that they have received the goods or expended the money on account of the Admiralty.

SIR W. PLOWDEN: Perhaps I have not made myself sufficiently clear. I can understand that these certificates are required; but in the case I have referred to, the statement of the Comptroller and Auditor General is that no certificate was given.

MR. HANBURY: When the hon. Gentleman talks about the War Office being a responsible Department, and its word being taken without a certificate, is it to be understood that that is to be the definite policy in the future? The Treasury have laid it down as their opinion that the War Office and the Ordnance Department should be treated like private contractors, and should have their accounts scrutinised as carefully. Is the Admiralty in its dealings with the War Office going to treat the War Office as a privileged Department, whose accounts are not to be looked into as thoroughly as those of private contractors?

*LORD G. HAMILTON: We pay on certificates which are given by officers of the War Office as in the case of other contractors. We require to see the certificates relating to work in the Ordnance Factory as we do certificates from other contractors. That seems to me the only possible course to take. As my hon. Friend (Mr. Forwood) has pointed out we do not inspect or audit the accounts. That is done by the Comptroller and Auditor General.

*(6.15.) MR. CAMPBELL BANNERMAN (Stirling, &c.): Are the War Office certificates given by the officers of the Ordnance Department, or by the Inspector's Department in the War Office?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): By those who pass the goods.

*MR. DUFF: I have not heard an answer given to the hon. Member for Wolverhampton, who has referred to a case where money was paid for guns,

without a certificate. It will be found on page 168 of the Appropriation Account, £10,000 was paid before the contract was entered into. That seems to me a bad principle, and it is one which the Public Accounts' Committee has frequently reported against. According to the Report of the Comptroller and Auditor General, no one seems to know what has become of this £10,000. It is in dispute between Messrs. Armstrong and the Admiralty at the present moment, I believe. We ought to have some understanding from the War Office or the Admiralty that before money is advanced in this way the contract shall be signed, and that money will not be advanced except on the certificate of a responsible officer.

MR. FORWOOD: There are special circumstances connected with this £10,000 which I think I can explain to the satisfaction of hon. Members. An arrangement was entered into with Messrs. Armstrong to construct certain 4·7 guns. At the time the arrangement was made the 4·7 guns were a new weapon just introduced into the service, and the precise form it would take before it was completed could not be determined at the time. It could only be determined by experience, and, therefore, the final specification was not drawn up at the time. Meanwhile, Messrs. Armstrong were entitled to advances when they had in their works steel or material equal to a larger amount than the amount advanced. The £10,000 was advanced on account of material in the hands of Messrs. Armstrong.

Vote agreed to.

NAVY ESTIMATES, 1890-91.

2. 68,800 men and boys.

(6.22.) COMMANDER BETHELL (York, E. R., Holderness): On this Vote it will be in order to raise a general discussion on the Navy. I have received a large number of letters respecting the operations of last year, and some of my correspondents tell me that during those operations the newer vessels showed grave signs of weakness in construction. I am afraid that in some of these ships the tendency to lighten the hull has been carried too far. My noble Friend will see that a grave error has been committed if ironclads have been built so lightly that they are unable to use their full power. I am glad to see the Admiralty have recognised that it is a very essential matter to have large boilers, and boilers of very considerable weight. With regard to trials of speed, the noble Lord has very properly decided that he will have trials at sea extending over a considerable period. It is quite manifest that unless you have these extended trials you cannot have satisfactory information about your ships. At the same time, it is essential that the measured mile trials should be continued, because by that means alone can you obtain a common denominator by which to compare all the ships. One cannot help observing that the noble Lord is not able to say for certain whether the amount of money voted last year will be sufficient to meet all the charges in connection with the additions to the fleet. Of course, one can understand the difficulties there are in estimating how much money will be required, but I think too small a value has been attached to the probable cost of materials if the large sums voted turn out to be, after all, insufficient for the purpose intended. Something will, no doubt, be said about the big guns. I have, year after year, pointed out that none of these big guns have ever yet been truly tested, and the noble Lord and his officers do not know what is the duration of the life of these large guns under the conditions of rapid firing. When a gun is fired as rapidly as possible time after time a great amount of heat is developed and the condition of the metal is altered. There is a theory on the subject, no doubt, but that theory is based on a very old experiment made with guns of completely different construction and of completely different metal. I am very strongly of opinion that we ought to test the duration of the life of one of our big guns. Let us know, once for all, whether these enormous weapons can be trusted to fire a good many consecutive rounds without playing false to those who use them. My noble Friend has always urged that the cost would be too great. But is it not worth while considering whether we might not advantageously risk something in connection with one of these guns in order to get valuable information with regard to the lines to be followed in making guns in the future. I would

urge those who are interested in the subject to support me in this protest against the construction of enormous guns, as to the value of which under the conditions of actual warfare we know nothing, and can know nothing until these experiments are undertaken. I notice that my noble Friend is very fond of introducing little theories into his statements. He very justly remarks in connection with these great guns, that we do not really know very much about their destructive effect. He tells us it is generally assumed that the destructive effect of shells varies as the squares multiply. What he means is, that 20 tons of powder will have 400 times the destructive effect of one ton. Well, everybody knows that there are really no means of estimating what is the destructive effect of great shells, and, I am certain, there is no ratio which can be established as satisfactory. I would like to make now an observation or two upon torpedoes. Very little information is given in the noble Lord's statement about torpedoes. I am one of those who have always had great faith in the future of torpedoes, and I would like my noble Friend, if he speaks later on, to tell us what advance has been made in torpedo manufacture, what is their speed and their range, for example—what alteration has been made in the charge they carry? I believe in torpedoes, for the reason that they seem to me to be the answer that science has given to the ever expressed wish to be found right through history, that some means should be found of wounding our adversary below the water. I believe the torpedo is a weapon that must be improved, and become more dangerous as years go by. We have all heard of certain sub-marine guns. Whether they will ultimately be a success it is impossible to say; but I think we ought to spend some money in experiments in improving torpedoes. I have said before I do not believe that a torpedo school is a place where we got much invention: invention comes from other quarters; and I am desirous of seeing invention in sub-marine guns or torpedoes cherished and nursed by a wise system of expenditure. I very much regret the tendency there has been, both in the Admiralty and in the House, and in the Press, to substitute guns of a very large calibre for those of a moderate calibre, and, on the other hand, to attach too little importance to the most effective weapon—the torpedo. I pass from matters connected with ships and guns to what is known by the hybrid word of personnel. Why my noble Friend has departed from the use of the good old Saxon word for the word personnel, which is certainly not Saxon, but a sort of bastard French, I do not know. One would suppose from the noble Lord's Memorandum that there are no blots in the manning of the Fleet to be removed. Speaking from many years experience, I assure the First Lord that the great blot in the manning of the Fleet is, that while we educate boys for the Service there comes a period when the country loses a large percentage of the boys it has educated. This is owing to the want of proper overlooking and proper discipline. From 18 to 24 years of age young fellows whose discipline is relaxed are rather inclined to go wrong. In the boys up to 18 the country have some very valuable stuff; but at that age a great part of the discipline is removed, and numbers of the boys go rapidly to the bad, and become valueless in the Service. I am sure they might be improved if a little consideration were given to the subject. We might easily exercise stronger and better discipline on the youths when they are emancipated from the condition of boys, and thus save a good many of them from going to the bad. Some years ago I served in one of the training vessels, and I was much struck with the physique and the general behaviour of the large number of boys there. Year after year I have seen this excellent material destroyed, or, if not destroyed, at any rate lessened in value by the want of proper discipline and care when they are transferred to sea-going ships. I do not think it is, on the whole, quite the fault of the captain and officers of the sea-going ships, because they have no power to employ the means that are necessary to grapple with the evil. I wish I could urge more strongly and more usefully on my noble Friend the necessity of inquiring into this matter. Will he not consult his Naval advisers? I hope it is not disrespectful to my colleagues in the Service who hold higher positions than I do to say that they have not the same

means of finding out defects in discipline as those who come in daily contact with the men. Officers who attain high rank are not drawn into contact with the men of the lower ranks: it would not be right they should be. Information comes to them second-hand; it has been passed through a sieve. Perhaps my noble Friend will be good enough when he replies to notice what I have said on this subject. I have only one other criticism to make, and that is in connection with signalling. It has been repeatedly urged in the House during the last three or four years—by Lord Charles Beresford and by other hon. and gallant Friends of mine—that it is above all essential in modern fleets that there should be a very rapid system of signalling. At present our signalling is done entirely with flags, except at night, when the semaphore is used. When there is wind, signalling with flags occupies considerable time. I have tried it over and over again, and I have always found that in wind three or four minutes is occupied in sending a message. In these days, when fleets move with great rapidity, it is certain that the commander of a fleet will require to make almost instantaneous signals; and it is equally certain that if he has no better means of signalling than are at present at hand, many a golden opportunity will be lost. I do not profess to have any special cure for this particular grievance; but I have always thought we might very easily establish a semaphore at the mast-head. That system has never been satisfactorily inquired into nor properly tried. It has been tried; but owing to the arrangements on the ships on which it was tried not being sufficient to enable mechanical contrivances to be fitted, the system was considered to be only a partial success. I do not pretend that this system is the best; but surely this is a matter for inquiry. Why does not my noble Friend appoint a Committee of Officers to inquire into the means of improving the signalling in the Fleet? I know there has been a Committee sitting in connection with signalling, but I understand that Committee had not this particular question under consideration. As you increase the rapidity of movement, so you increase the necessity for rapid signalling. No man can fail to see the enormous importance of this subject. I do not wish to detain the Committee longer, and I am grateful to hon. Members for the attention they have been good enough to give me.

(6.45.) MR. SHAW LEFEVRE: I desire to make some observations on these Votes, and especially in connection with their financial aspect. In the first place, I must enter my protest at being called on to discuss the Estimates without having had the detailed information respecting ships under contract which is usually provided. It is true that the information has been placed in my hands since the House met this evening; but it is absolutely impossible for any hon. Member to have read through the enormously bulky volume in which it is contained, and to have formed any opinion upon it in the short time during which it has been available. I do not recollect the Navy Estimates having ever been discussed on any previous occasion without fuller information being in the hands of Members. It is especially necessary on this occasion that we should have all the details before us, because this year a large sum, which, under ordinary circumstances, would appear on the Estimates, has been provided for out of other funds. We contended last year, when the Naval Defence Bill was before us, that the effect of that measure would be entirely to destroy the responsibility of this House, and to make absolutely useless any comparison between the past, the present, and the future. Anyone who looks at the Main Votes which appear on the Estimates would suppose that the total amount now provided for, namely, £13,780,000, being an increase of £100,000 on that of the previous year, represented what may be called the normal Naval Estimates, apart from the sums provided for under the Naval Defence Act. But I believe I am right in saying that is not the case, and that if there had been no abnormal increase of ship-building by contract under the Naval Defence Act, the Estimates would be increased this year by a very much larger sum than appears on the Votes. Advantage has been taken of the Naval Defence Act to transfer that larger sum to the special fund under the Naval Defence Act. The real increase of what may be called the

normal expenditure has, I believe, been £300,000 above what it appears to be. This is an illustration of the unfortunate effect the Naval Defence Act has had on the finance of the Navy. I have been at some trouble to ascertain what has been the real expenditure on the Navy in the coming year, and I think it will be about £5,000,000 more than is represented by the Votes. The total amount will be £18,780,000. The increase of £5,000,000 is almost wholly due to the ship-building by contract. The amount provided for in the Estimates for new ships and their armaments is about £3,500,000, which is about 40 per cent. more than the normal amount which the Secretary to the Admiralty (Mr. Forwood) told us recently in a public speech would be sufficient to repair the waste of the Navy.

MR. FORWOOD: What I said was the cost of the Fleet as it would be when completed.

*MR. SHAW LEFEVRE: Yes, the cost of the Fleet as it would be when completed. Of the £5,000,000 I have referred to, £4,700,000 is provided for under the Naval Defence Act of last year, £128,000 is the amount not spent last year, but which will be spent this year without having to be re-voted, and the remainder will be spent on ships for the Australian station, under the Imperial Defence Act of 1888. These facts prove that the Navy Estimates are now in such a confused state that it is almost impossible for anyone to ascertain what the real expenditure on the Navy will be in the coming year. The expenditure provided for by the Naval Defence Act will be on about 55 vessels, of which 46 have been laid down under the Act of last year, within the present year, namely, 21 in the dockyards and 25 by contract, including eight first-class battleships, eight first-class cruisers, 23 second-class cruisers, and other smaller vessels. Last year several of us made a protest against laying down at the same time such a large number of vessels, and paying for them, to a large extent, out of borrowed money. The time has not yet come for appreciating the soundness or otherwise of this policy; but I must point out that some of the predictions which some hon. Members on this side of the House made have been already verified. Among the principal objections which I raised to what the noble Lord at the head of Admiralty has himself described as the spasmodic policy was that it would give a great stimulus to other Powers, and especially to France, to follow our example and to add to the number of their war vessels, and that in the end we might find our relative positions much the same. I pointed out from the experience of the past 40 years, that it has been the settled policy of successive Governments in France to maintain their Navy in a certain definite proportion to our own, namely, in the proportion of about two to our three, and that any advance on our part is invariably followed by a relative advance on their part. We were told that this was most improbable in the future; that France was already overwhelmed by its great military and naval expenditure, and would find it impossible to make any further increase. As a matter of fact, within a few weeks after the passing of the Naval Defence Act the Minister of Marine in France went down to the French Assembly and asked for an immediate credit of over 70,000,000f., of which 58,000,000f. was to be expended on new ships, and he gave as a reason the immense increase of expenditure on new ships in this country.

*LORD G. HAMILTON: The Minister of Marine never mentioned England.

*MR. SHAW LEFEVRE: Well, I certainly understood he did. At all events, it was generally understood in the Assembly that the real motive for this great expenditure was the correspondingly increased expenditure in England. The Assembly voted the credit demanded without a single objection, and the money was raised by loans. I believe I am right in saying that further large sums will be expended in the same direction in 1891, and that six new ironclads and several large cruisers have been laid down in order to keep pace with the efforts being made in this country. I need hardly point out, also, that across the Atlantic the Secretary to the Navy of the United States has submitted to Congress proposals for a large increase in the Navy of that country, and it is generally understood the reason for that large increase is the great increase in our naval expenditure last year. I am also informed that Russia has increased

her naval expenditure, and that the Russian Government have laid down two additional ironclads of the largest type. These facts show that the effect of our entering on this large naval expenditure has been a great stimulus to other Powers to proceed in a similar course, and, probably, in a very short time our relative position to the Navies of other Powers will not differ from the position we were in before this great outlay. Another point which I brought under notice during the discussions on the Naval Defence Act was the inadvisability of putting on the ship-building market so many contracts for new ships at one time. I said the probable effect would be to raise prices in the ship-building market against ourselves. So far as I can ascertain, the total amount of contracts for new ships represent something like eight millions; but, in addition, large contracts have been placed on the market for armour plates for the ships building in the Dockyards, and also for steel, iron, and other materials. I think contracts for £3,000,000 have been entered into on this account in the financial year, making altogether contracts to the amount of about £11,000,000. Now, these contracts have been entered into at a time when the large ship-building yards on the Tyne and the Clyde are full of work. There has been an immense expansion in trade, and prices have gone up considerably, the increase being, I should think, from 25 to 30 per cent., or even more, in the mercantile ship-building trade; and it is certain that the vessels built under the Naval Defence Act have been already largely in excess of the amount anticipated at the end of last year. What the excess has been I cannot say, but there is an ominous passage in the statement laid before us by the noble Lord which bears on this—

"During the financial year 1889-90 the extraordinary activity displayed in shipbuilding and other industries for the mercantile marine has caused a remarkable rise in the price of the materials employed in shipbuilding and of labour on contract-built ships. Under the Naval Defence Act the estimates of the cost of the work to be done were so framed as to allow a margin for rise in prices and other contingencies. This margin has, in many of the contracts made for hulls and machinery, been more than absorbed in consequence of the inflation of prices during the past year."

I gather from this that the expenditure will be largely in excess of what was contemplated in the scheme in the Nava Defence Act, and we shall probably find that the £10,000,000 proposed for the building of new ships will not be anything like sufficient for the purpose, and further demands will be made upon Parliament for the completion of the vessels. To what extent that may be I do not know; but, at all events, it must bring home to us that we have not been very wise in throwing these large contracts on the shipbuilding trade all at once on the top of the market when prices are high. As it is matter of knowledge that ships built within the last few years have been built at much lower prices than those now contracted for, so we may assume that in a short time prices will fall again. In point of fact, the effect of the present prices in the shipbuilding trade has been to stop all new orders; and, although the shipbuilding yards are now full of work, and will continue so for a few months, the outlook for the trade afterwards is extremely bad, and we may anticipate a great fall in prices and that many men will be thrown out of work. Present prices are not a little due to these large contracts being put out all at once, and it is said they have had considerable effect on the prices of steel and iron as well as wages. Although it is matter for satisfaction that work is plentiful and wages good, yet it is probable that at no distant date this will be detrimental to the people, and may result in one of those violent alternations of work and want of work so much to be deprecated. Experience, I think, has shown that the course pursued was not a wise one, and that it would have been wiser to have spread these contracts over a longer period, both from the shipbuilding point of view and the financial point of view. Another objection is founded on the impolicy of laying down an immense number of vessels of the same type all at once. No one has ever stated the objections to such a policy more clearly, more soundly, or more fully than the noble Lord himself and the Secretary to the Admiralty in 1888, when defending the Admiralty against the pressure put upon them to enter upon such a policy. Speaking in a previous year in reply to Lord Charles Beresford, who we regret is no longer able to take part in these debates, the noble Lord said—

"The Government was opposed to any wholesale building of ships at one time; so rapid was the change of designs and in the development of speed that they would probably be obsolete and useless in 10 years."

He then deprecated any hasty and spasmodic expenditure, with the certain knowledge that a part of the expenditure would be wasted by the very haste required, and he added—

"There is no single instance in which ships laid down by the score have not shown defects common to all, which would have been avoided if they had been laid down gradually and continuously over a term of years."

The Secretary to the Admiralty, in many speeches in the House and outside, spoke in the same sense. These were words of wisdom and prudence; but the noble Lord threw them over the next year and gave way to the alarmists. The time has not yet come when it is possible to test the predictions they made in 1888; but already there are indications that two of the classes of ships, of which we have built many samples in the last three or four years, are unsatisfactory — the M class of second-class cruisers of the *Medusa* type and the *Sharpshooter* class. There is also of late a distinct change of professional opinion against the use of the largest guns; and if that is right, there seems reason to believe that the largest class of ironclads, of which we have laid down eight, will be of questionable value. It has always seemed to me that the wise course is to lay down a certain number of vessels in each year, availing ourselves of the best experience of the moment, and not committing ourselves to large numbers of the same type. Before sitting down I must remind the Committee that the Naval expenditure ought to be considered in connection with our expenditure on the Army. Taking the two together, it will be seen that there is a corresponding great and growing expenditure in both Departments. For the 10 years preceding 1884 the average of Naval and Military expenditure was £25,000,000. In 1884 it rose to £26,700,000. The total of the Estimates on the Army and Navy in 1888-89 was £29,790,000; for 1889-90, £31,024,000; and for 1890-91, £31,503,000—an increase of nearly two millions in three years, and of six and a half millions as compared with the average of 1874 to 1884. But the expenditure is not by any means represented by the figures I have given. During the last three years there has been a large expenditure out of moneys raised by loan. Including the sum of £4,000,000 now proposed for the barracks, there were four different transactions of this kind. For the purpose of fortifications and coaling stations £2,600,000 was borrowed; for the building of the Australian squadron £800,000, spread over 12 years; under the Naval Defence Act of last year, £10,000,000, also spread over a number of years; and lastly, for building barracks, £4,000,000 in the present year. Thus £18,000,000 in all will have been raised during the last three years over the ordinary expenditure, which itself has been increased by the annual sum of £1.800,000. Taking the Army and Navy Estimates together for the coming year, and assuming the £4,000,000 to be raised for the barracks, the real expenditure will be £37,870,000, and of this only £31,503,000 appear on the Votes for the Services; £1,800,000 is borne by the Consolidated Fund, the remainder being raised by loans payable in future years. Well, I must say these facts raise matter for most serious consideration. In a time of profound peace not only are Estimates being raised but money is being borrowed to the extent of £18,000,000 in three years.

*MR. E. STANHOPE: I cannot speak about the Army Estimates now, but I entirely dispute the right hon. Gentleman's figures.

*MR. SHAW LEFEVRE: I have taken considerable pains to ascertain the amounts. The right hon. Gentleman will not deny that £4,000,000 for barracks are to be raised by loan!

*MR. E. STANHOPE: I cannot discuss an Army Estimate on a Navy Vote.

*MR. SHAW LEFEVRE: I take the two Services, as I think I am justified in doing, and estimate the total expenditure. I believe these £4,000,000 are to be raised by loan, and we have four transactions in the last three years for raising an enormous sum by loan in addition to the large increase in the Army and Navy Estimates.

*LORD G. HAMILTON: Not by loan.

*MR. SHAW LEFEVRE: In the case of the money for fortifications and coaling stations it was distinctly raised by borrowing, because it was not paid in the year. The money may be raised by annuities

spread over a number of years, but that is essentially the same thing. You may not call it a loan in the ordinary sense, but, at all events, it is not expenditure paid within the year; it is spread over several years. It is, I say, a very serious state of things to throw this large expenditure on future years. If inquiry was made I believe that it would be found that in the European contest of military and naval expenditure Great Britain is not the least offender. The expenditure of this country for the coming year on the Army and Navy will be larger than the expenditure of any other European country.

An hon. MEMBER: So much the better.

*MR. SHAW LEFEVRE: I do not think that, for I do not believe the necessity. While we are pretending to be economists and to set example to other nations we are encouraging others by our increasing and spasmodic expenditure. I have always understood the Chancellor of the Exchequer to be a purist in these matters, but apparently he has given his assent to this practice of spreading payments over coming years. For my part, I believe the only real check upon extravagant naval and military expenditure is the principle that the expenditure for the year sdall be met within the year. Depart from that principle, and I see no limit to the expenditure. Three times within the last three years have we departed from that principle. Against this policy I make my protest and hope the day is not distant when we shall revert to the principle of true finance and a sound economic policy.

(7.15.) MR. H. F. KNATCHBULL-HUGESSEN (Kent, Faversham): I wish to express my entire approval of the general statement of the noble Lord upon the naval administration for the year, and I wish also, on behalf of my constituents, to thank the Admiralty for having fulfilled their promises to supply sufficient work for the dockyards. I am glad to say there is not only plenty of work now but the prospect of plenty of work in the immediate future. I think all those who are interested in dockyard work will agree we have nothing to complain of. I congratulate the noble Lord on the reductions made in some high salaries of officials, and I believe several more steps might be taken in that direction with good effect, and in this way I hope the Admiralty will find it in their power to afford some increase in the pay of labourers and skilled workmen in the dockyards, who perform most arduous duties and have great reason to be dissatisfied with their present rates of pay. But while I am generally able to congratulate the noble Lord on the success of his policy, I think, perhaps, it will conduce more to the furtherance of business, and I shall best discharge my duty, if I call attention to some of the grievances in the dockyards as the particular Votes come on, and especially to the cases of the shipwrights and smiths, their rates of pay, and also the system of payment by cheque on tonnage, which creates great dissatisfaction, and also to the question of pensions, about which there is great complaint. Then there are other grievances connected with dockyard work, and I hope the noble Lord will give some attention to the position of writers in dockyards. I mention these matters in the hope that when I raise these points the noble Lord will have given them consideration. But there are two points to which I wish to call attention at the moment, and to one of these I would respectfully ask the noble Lord to give his attention as a matter of urgency and of a serious nature, and this is as regards the hospital accommodation at Sheerness. I may connect this with the accident that recently happened on board the *Barracouta*. I am told that there is at Sheerness a large military hospital hardly ever used, and yet will the Committee believe that whenever an accident happens the injured men are absolutely carried to Chatham. When those poor fellows were so fearfully burned by the accident on the *Barracouta*, instead of proper hospital accommodation being found for them at Sheerness, when they came in, they were landed and taken to the hospital at Chatham—a state of things I think absolutely shocking. If there is not hospital accommodation at Sheerness, it ought at once to be provided. I had occasion also to refer to the case of a man suffering from influenza, who was conveyed to Chatham in a cold east wind; and the answer I got was that the ward was full, but, if my information is correct, there is the military hospital at Sheerness rarely used. I

hope the noble Lord will make inquiry into this matter, and that, if it is as it is represented to me, he will make such arrangements as to make it impossible such things can occur again. One other point I wish to ask the attention of the Committee to, is a grievance to which attention has often been called, and which I hope may be adverted to by some of my hon. Friends who may follow me; and Naval men are more able to touch upon it than I am. I mean the position as to rank and pay of the engineers of the Royal Navy. It is a very great grievance, and, speaking generally, it is a matter of astonishment to me that the claims of these gentlemen have been so long ignored. All they ask, and all we urge, is that their rank and pay shall be equivalent to the duties they are called upon to discharge. I need not remind the Committee that the duties of an engineer officer are very different to what they used to be; they are very much more onerous and complex; in fact, there is scarcely anything in connection with the management of an ironclad with which engineer officers have not duties to perform. They have under their charge the engines and boilers, all the machinery used for various purposes, gun mountings, torpedo carriages, &c., and, in fact, on board a large ironclad there are over a hundred engines performing every sort of function. The position of these officers is something very different to what it used to be when seamanship was everything and standing machinery nothing; that position is now reversed. When this question came before the Committee last year several reasons were given by the First Lord, or the Secretary to the Admiralty, against the consideration we asked for being granted. One reason was that there were plenty of candidates from whom the ranks of engineer officers could be filled. No doubt this is the case, no doubt the supply always exceeds the demand in matters of this kind, but I do put it to the noble Lord —is that an answer quite worthy of a Minister of this great country? Surely if these gentlemen perform duties that are worthy of more consideration in regard to rank and pay, to allege competition as a reason for ignoring their claims comes very near to that much condemned and pernicious system of "sweating." We have been told also that the pay is higher than in the Mercantile Marine, and that may be the case. I have, however, been supplied with one instance to the contrary. I am informed that on the *City of Paris*, a vessel of 10,000 horse power, the pay of the engineer branch is £300 per month more than the pay for the same branch on H.M.S. *Trafalgar*, a vessel of 11,000 horse power.

MR. FORWOOD: Surely that is not so.

MR. H. KNATCHBULL HUGESSEN: So I am informed—that on the Atlantic liner *City of Paris*, £300 per month more is paid to the engineer branch than on the *Trafalgar*. Of course, if that is not so, my remark is beside the point. However that may be, can it be supposed there is a comparison between the duties of the engineers in the two cases? Where in the Mercantile Marine is an engineer officer called upon for such important and responsible duties as on board one of Her Majesty's ships? Upon the grievance in respect to rank I will not dwell, leaving that to hon. and gallant Members more conversant with the Service. I understand their special objection is to the rating which is called "with but after." It is unfair, and it is unwise, that these repeated representations should be ignored, for I do not think the best men will be attracted to the Service if this is the way they are treated.

*(7.25.) MR. BRADLAUGH (Northampton): With reference to the point upon which the hon. Member has just addressed the Committee, I should like to point out that when last year the case of engineer officers and engine-room artificers was discussed, the noble Lord, answering Lord Charles Beresford, then Member for Marylebone, said the Admiralty could obtain any number of men for these branches, and that under the circumstances he was not justified in listening to what was urged by Lord Charles Beresford and other Members. But I think the noble Lord has had some experience during the past year that does not quite support the view he then took. I think the need for engine-room artificers has induced the noble Lord to send out a recruiting party to obtain men for this

branch at a cost of something like £10 a day. I think it was so stated in one of the organs of the Government only a day or two ago, and that this recruiting party had only succeeded in getting one engine-room artificer, who could not pass the medical examination. Such is the statement that appeared in the *Globe*, and, if true, I think it requires a word of explanation from the Admiralty. One other matter I desire to mention, and it came under my personal experience. I travelled back from India on board the *Britannia* from Malta with a young gentleman who had only been sent out to join a ship there within the previous fortnight, and had been then ordered back to join another ship. Now, I cannot help thinking that with a little care the expense to the country of transport by P. & O. steamer both ways might have been saved to the country. I would also like to draw the attention of the noble Lord to the grievance urged by petty officers, who complain that they are liable after long service and just as they are becoming entitled to a pension to be disrated, even by lieutenants commanding, though the rating was conferred by higher officers; while in the Army officers of equivalent rank would be entitled to appeal to the judgment of a court martial from that of one who is at the same accuser and judge. There seems to me there is a real grievance in this, especially when we remember the extremely summary way in which commanding officers exercise their power, the exercise of which in one instance was attended with some cost. I mean in the case of the deserter Thompson. I do not feel that in reference to engineer officers I have sufficient knowledge to express myself with any degree of certainty upon the points urged, but I do think that seeing the development of machinery on board our ships has been such that the amount of skill and knowledge required in the Service—that some parts of the machinery are as delicate and complex as those of a watch and as liable to get out of order—implies technical instruction of a very high order, some consideration should be shown to the complaints of these men, at least to the extent of inquiry being promised into their representations. On these points I should be glad to have an answer, and especially I should like to know how it is that a young man can be sent to Malta and recalled in 10 days without it being known that he was to be transferred to another ship?

*(7.30.) Sir J. COLOMB (Tower Hamlets, Bow, &c.): I think there has been some confusion between stokers and engine room artificers; there has been some want of stokers in the Navy, not of engineer artificers The engineer question must be looked at, not by itself, but as part and parcel of the whole organisation of the Navy. If approached from that point of view, the engineers have really not so very much to complain of. I think that is proved by their warmest advocate, the hon. Member for Faversham, for he said their strongest grievance, in point of fact, was that they are ranked "with but after." Well, what do they want? Do they wish to be ranked "with but before?" The whole conditions of the Naval Service depends upon this—that the executive of the ship must have the command of all ranks in the ship. With regard to the speech of the right hon. Member for Bradford, the first part of it should have been delivered upon the Second Reading of the Naval Defence Bill. With regard to the second part, the right hon. Gentleman gave the Committee to understand that he had made an extraordinary discovery — namely, that if the sums spent upon the Navy under the Naval Defence Act were on the Navy Estimates, these Estimates would have been heavier. That is a discovery which I do not think of any great importance. My own opinion is that the Navy Estimates laid upon the Table this year are the clearest the House has had for many a year. The last part of the right hon. Gentleman's argument was as to the undesirability of increasing our Fleet, because if we did increase it the result would be to stimulate other nations to increase theirs. The converse of that argument is that we should give up our Fleet altogether in the hope that other nations would give up theirs. The strength of our Fleet must be measured by our geographical necessities. It is owing to the fact that the Fleet had been so much neglected by the right hon. Gentleman and his friends that it has fallen to the Government now in power to retrieve what has been so long mismanaged. It is perfectly natural, and was expected, that the United

States should increase their Fleet in order to get rid of a great part of their surplus. Whatever other Powers do, the standard of our naval strength must be our geographical position and our commercial necessities. I will not dwell further upon the right hon. Gentleman's speech, but I have no doubt the right hon. Gentleman would undertake almost anything, including the command of the Channel Fleet, but I am certain if he hoists his flag on the good ship "Self Satisfaction" he will not find much of a crew. With regard to the proposal that guns should be tested, as suggested by my hon. and gallant Friend (Commander Bethell), it is too late to make such an experiment as he proposes now, and there would be no advantage in doing it. As to torpedoes and the observation he made, I would remark that the autumn manœuvres are placing the torpedo at its true value; you cannot give the torpedo additional value by appeals to history. The argument my hon. and gallant Friend used, that torpedoes should be lifted into the position of the principal armament of the Navy, in order to give effect to an historic aspiration to make a hole in the bottom of an enemy's ship, is of no avail, for the gun is to give effect to the historic aspiration, descended from Cain, that you should give your enemy a blow on the head. But I would rather discuss these matters from a broader point of view. I must congratulate the First Lord upon the business-like character of his Memorandum, and the total absence from it of the claptrap which appeals only to outside ignorance. This Government will live in history for having inaugurated the policy of contributions to the maintenance of the Navy, not only from India but from the colonies; but at present the contribution is very small. The total annual value of British commerce is 1,100 millions sterling. Of that, 650 millions belong to the United Kingdom, and 450 millions to the remainder of the British Empire, consisting of independent colonial interchange or commerce direct with foreign countries. Under the present arrangement the United Kingdom pays for naval protection £1 for every £46 of her commerce, while the outlying parts of the Empire pay only £1 for every £4,000 of independent commerce. I cordially approve of giving dockyard built ships a suitable start over contract built ships, for, as the noble Lord says, the fact of experience being gained in the dockyard will save a large sum of money in fitting and altering ships of the same type built by contract. I entirely agree that the designs for boilers and engines must largely depend on the service for which a ship is intended, and neglect of this has been a weakness in our past policy. I should like to know, however, whether the boilers of the ships building for the Australian Squadron are adapted to the burning of Australasian coal? As to the rise in prices, I do not think that is a reason for carping criticism. Rather, I think, we should rejoice that the trade of the country is so good under the confidence produced by the present Government, and we are in a better position to bear the carrying out the Naval Defence Act. I am very glad indeed that the arming of the Fleet proceeds satisfactorily. The Committee need not debate the question of ordnance when they know that the naval officers using the guns are satisfied with them; but I do not think we should be satisfied until there is a sufficient reserve of guns, not merely at home, but on every foreign station. Our strength used to be in our reserve of stores and ordnance. I know that changes have made it difficult to keep up our old standard, but I hope the Admiralty will not relax its efforts in this direction and provide an ample reserve. My hon. and gallant Friend near me has taken great interest in the question of a dock at Bombay, so I will not touch upon that beyond saying that it is one more proof of our unsatisfactory arrangement for meeting a war that we have a great Imperial necessity like this which everybody admits, and yet there is no system of co-operation for carrying out the work. And now a few words on mobilisation and *personnel*. It is most creditable that the Naval Intelligence Department has rendered such great services at so small a cost; but it is not satisfactory that only £9,000 should be expended upon that Department and naval attachés, while the Military Intelligence Department and attachés

cost £14,000 a year. I trust that the First Lord of the Admiralty will look into the question of the Naval Intelligence Department, and will not be afraid to press for an increase of that Department, even if it entails some diminution of the Vote for the Military Intelligence Department. I congratulate the Admiralty also on looking ahead, and on the increase of officers and men proved to be necessary by the actual experiments of the naval manœuvres. Practically, however, that increase will only meet the necessary requirements of the ships now building; and I cannot see where the reserve of officers and men is to be found sufficient to provide for the casualties of war. I do not think we have the margin we ought to have, and I beg the noble Lord to consider that when we have the full complement of officers and men for the additional ships, there is still wanting the number to make up for losses in war time. The defect of the existing organisation of the *personnel* is the want of power of rapid expansion. There is no reserve of officers and men on foreign stations. I think that on every foreign station there should be a reserve of officers and men. There ought to be on every station behind the Fleet, on shore or in harbour, a sufficient reserve of officers and men. But it may be said that there is the Royal Naval Reserve. I do not think it should be simply a question of changing from a peace establishment to a war establishment on the basis of calling in the Royal Naval Reserve. The Navy should have some expanding power of its own before calling on the Royal Naval Reserve. Naval Reserve men, for the most part, belong to the best ships of the Mercantile Marine, and if you take them, you take away at the beginning of a war men from ships which are most wanted. In one instance you count your Naval Reserve men twice over, for you provide a subsidy for armed merchant steamers, and you couple this with a condition that these steamers shall have a certain number of Naval Reserve men, so then in the event of war you must deduct these from the number of Naval Reserve men available for service men-of-war ships. Then you may say there is the Royal Marine Forces, and there is a reserve. But half this force is serving on board ship as an integral portion of the complements of war ships. Therefore, the only possible reserve is the number of men on shore; but they will be absorbed by the increase of the Fleet by commissioning the ships in reserve, so that you have nothing left but untrained men. I do think, therefore, that the expansion of the arrangements for the Navy proper is a matter well deserving the serious attention of the Admiralty. There is another matter. If you take the Marine Forces as part and parcel of your Navy, you have there a number of officers who are not naval officers. And you have a corps of Marine artillery with highly trained officers, but you do not use them. Every Marine artillery officer of captain's rank has cost the country £4,000. I say, when you approach the question of the organisation of the *personnel* of the Navy, you certainly will have to deal with that branch of the Service. You have 3,000 artillery under the Admiralty of all ranks, and you are misapplying that force. You are keeping them on board ship; you do not use them as artillery; and my position is that these are the men to keep more in reserve at head quarters of naval stations. The Marine Force, if it is to be used as a reserve, should be placed under the Admirals at head quarters, and at naval stations; and that would provide your first reserve in war. Is it not possible to have a system of more naval training for Marine and Marine artillery officers, so that they might be usefully employed on board ships, and in naval service when they are wanted? In the exigencies of war, I, myself, would rather have Marine artillery and Marine officers able to handle boats than that they should, as many of them have done, take the highest places at the Staff College. In respect of the organisation of the *personnel* of the Navy—since 1852 when continuous service was established—you have gone on tinkering the machine, and you are tinkering at it now. Take the simple matter of keeping the men's accounts. You will find it a very expensive affair. If you refer to the Navy Estimates, and take the Accountant General's Department of the Admiralty, you will find that costs £51,000. I am dealing with nothing but the Accountants' branches of the Navy. If you take the pay,

the half-pay, and the retired pay of the secretaries, paymasters, and clerks, for the service of the Fleet, you will find that this costs £162,000 a year, and thus actually for only 58,000 men the cost is £213,000. The cost of the Accountant services of the Fleet costs nearly a quarter of a million a year. I think that is a very serious matter indeed. The pay and retirement alone for the Accountant services absorbs nearly a quarter of a million of money for keeping the accounts of 58,000 men. The total number on the Estimate is 65,000, but 6,000 or 7,000 of these are marines on shore. If you take the pay and retirement of the officers charged with keeping the accounts of the 6,000 marines on shore, you will find it is under £9,000 a year. That is at the rate of £1 10s. per head of the men whose accounts are to be kept. But when you turn to the Navy proper, and add to that part the marines embarked, you will find that you are spending at the rate of £2 15s. per head, a difference of £1 5s., or 83 per cent., as compared with the cost in connection with the accounts of marines on shore. You are then spending £70,000 a year more than I think you need.

COMMANDER BETHELL: Does not that include the accounts of stores in all the ships and war *matériel*?

*SIR J. COLOMB: The figures apply only to the pay of the officers of the Accountant branches of the Navy. Nothing more. I do not include the petty officers. It is merely a calculation of the pay, half-pay, and retirement for Accountant officers, commissioned and subordinate, on the one hand in the Navy, and on the other hand in the Marine Forces. But in the Marine Forces, I do include certain other officers engaged in the account keeping of stores; in the Navy I do not. I trust the First Lord will really look into this question of the organisation of the Navy, and that he will keep his thumb well down upon the Accountant-General's Department, and the accountant branches of the Royal Navy.

*(8.10.) MR. CHANNING (Northampton, E.): I do not intend to enter into the many details of the somewhat business-like speech of the hon. and gallant Member, but I wish to challenge one point on which he contradicted my right hon Friend the Member for Bradford, namely, as to the predicted results which would follow in other countries of our naval scheme launched last year. Our contention has always been that to launch the scheme in such an ostentatious way would be to provoke the competition of other countries. The hon. and gallant Gentleman entirely denies that. What are the facts? We have in America not a scheme to build 70 vessels at a cost of £21,000,000, but 227 vessels at a cost of £70,000,000. The hon. and gallant Gentleman says this is simply due to the fact that the United States of America has a vast surplus to spend. That is true. But anyone acquainted with America will know that the result of our naval scheme has been to put a powerful weapon into the hands of the Protectionist Party in the United States by enabling them to use for 10 years to come the gigantic surplus of the United States in adding to their Navy. Our contention is, that we should have a Navy adequate to our Imperial necessities of defence and protection of our ever-spreading commerce. But we maintain that such a relative proportion of naval strength should always be maintained by the unostentatious policy of using our resources for rapid ship-building without challenging the competition of other countries—quietly stealing on and keeping ahead of the armaments of other countries. I venture to say that the weapon which we have placed in the hands of the Protectionist Party in America has enabled them to appropriate those surpluses, part of which might have gone to lowering the American tariff, and so have benefited the hard-working artisans of this country. I think everyone will be inclined to compliment the First Lord of the Admiralty on his exceedingly clear and impartial statement in explanation of the Navy Estimates. But in this statement we find the strongest confirmation of the points raised by my right hon. Friend the Member for Bradford last year, and again this year, as to the unwisdom of taking two or three types and building a large number of vessels according to each of those types at one time. Again and again we discover in this statement that even since last year the Admiralty have been obliged to

modify, as a result of the manœuvres and to alter their proposals. For instance, they have introduced modifications with respect to coal transport, and the ventilation of engine-rooms beneath the protected decks. There is a still more important point, that the new cruisers are to have their speed increased to their full capacity. I ventured last year to draw attention to the defects in the speed and coal capacity of the new cruisers; and it cannot escape the observation of anyone interested in the matter that the alterations made in the designs of the cruisers of last year are mainly directed to the increase of boiler and coal capacity. At the bottom of page 7 of the statement issued by the First Lord of the Admiralty we are told that—

"In the cruisers of the 1st and 2nd class now building under the Naval Defence Act, the weights of the boilers have been increased by from 16 to 25 per cent. This will give increased boiler capacity and admit of beneficial alterations in design."

Again, on the next page, we are told that—

"The present policy is to increase the weights and the dimensions of the boilers, so that the higher powers occasionally required may be more readily developed and maintained."

I have called attention to these points especially because I wish to express my satisfaction at the alterations that have been made in the cruisers. According to the view of many of the most experienced men in the Merchant Service, fast cruisers constitute, perhaps, the most important branch of the Naval Service at the disposal of the Admiralty for the defence and protection of our commerce. I call attention to these points in order to emphasise the fact that experience is coming in month by month and year by year, and that, therefore, the safest policy for our Naval Authorities to pursue is to utilise that experience as it is acquired; not to adopt at once and for all one particular type for the construction of a large number of vessels; but, having first constructed one or two, and having seen what are the advantages and defects of that type, to adapt the designs for the next vessel or two to the experience so gained. The enormous programme laid down by the United States Government, and the rumours we hear as to the proceedings of other Naval Powers on the one hand, and on the other the proofs we have in this very statement, that experience is necessary in deciding the designs of the Government, seem to me amply to justify the attitude which we on this side of the House assumed last year.

Vote agreed to.

3. £3,312,500, Wages, &c. of Officers, Seamen, Boys, Coast Guard, and Marines.

(8.20.) LORD G. HAMILTON: In reply to the various questions that have been put to me in the course of the discussion on the previous Vote, I may say that I quite agree with the hon. Member who has just sat down, as to the advantages that would result from the increase in the boiler power and coal-carrying capacity that has been given to the new cruisers, and I can assure the hon. Gentleman that these advantages have not entailed any additional cost in the construction of the vessels, inasmuch as they formed part of the original designs. The discussion generally has, I think, been favourable to the policy of the Admiralty; but my hon. Friend the Member for Holderness (Commander Bethell), who spoke about the guns, must remember that I am not responsible for the 110-ton guns, which were ordered at a time when I was not in office. When, however, an attack was made upon those guns, and I saw that they had been unfairly attacked, I thought it right to state the facts with regard to them. It is an undoubted fact that if the vessels, armed with these guns, get within certain range, and shot from the 110-ton guns strike a hostile ship, she will not be very likely to give much trouble afterwards. The Admiralty, however, have thought it advisable to limit the supply of these guns to certain ships. The hon. Gentleman went on to suggest that we should test one of these guns by firing it continuously for some hours in order to see what would be the effect of rapid firing upon the interior of the weapon; but the erosion which is caused by the gases acting on the back part of the gun while they are in a heated condition is so great, and the temperature caused by the explosion is so high, that I do not think any advantage would be derived from such a test. In designing these guns there were two considerations to which scientists specially

applied themselves. They tested the temperature and pressure of the gases, and by these means ascertained the strength of metal required and the temperature it would stand. As far as the Admiralty know, our guns are as strong—I believe they are really stronger than any guns made by a Foreign Power, and they are also unequalled for accuracy, rapidity of firing, and endurance. As I have shown in my statement, the total number of heavy breech-loading guns of 8-inch calibre and upwards, mounted in English ships, is 88, 22 of those being 13 inches and upwards, while 66 are of from 8 to 13 inches, whereas the French have mounted only 20 of 13 inches and upwards, and 22 of from 8 to 13 inches. I have been asked questions with reference to the *personnel* of the Navy, and my hon. Friend the Member for North-East Kent has called special attention to the position of the Engineer Officers of the Fleet. I gave an answer on this subject last year, and have since most carefully considered the matter, with the result that I can see no reason for changing the opinion I then expressed. It is quite true that the Engineer Officers perform most responsible duties, but it must also be remembered that there is an almost unlimited supply of material for making such officers throughout the country. The Admiralty can obtain any number of candidates for the engineering branch of the Navy, the advantages of that service being exceptional. They receive a most expensive education, three-quarters of the cost of which is defrayed by the country, and when once they become commissioned officers they are almost always upon full pay, while their promotion is not retarded from one grade to another by an exceptional block. Therefore, I do not think the engineer officers have established a case that would justify me in increasing the pay at present attached to their rank in the Navy. I am, however, anxious, as far as I can fairly do so, to improve their status; but I believe that the profession of Naval Engineer is one to which people of any station in life would like to send their sons, and that when the advantages of this branch of the Service are known we shall get quite as good candidates as we have had for other branches of the Naval Service. Well, Sir, another hon. Gentleman has stated that during the recent Naval Manœuvres certain vessels developed signs of weakness; and in reply to that charge I may say that every officer commanding a ship at those manœuvres had to send in a Report, and to answer a large number of categorical and searching questions which were sent round by the Admiralty. The result was that although a number of complaints were made of want of boiler power and engine power, and so forth, in no case did any officer state that his ship showed any signs of structural weakness. It is not for the Naval Board to interfere with the designs, the responsibility for which must be thrown upon the designers; but, at all events, no reduction has been made in the standard of constructive strength of our modern ships of war. Then the hon. Member for Bow and Bromley (Sir J. Colomb) suggested that officers and men of the Marines should be more utilised for the purpose of forming a Naval Reserve; and, while I quite agree with him—though I only express my own opinion—as to the ability of these officers, and the desirability of giving so qualified a body greater chances of distinguishing themselves, I think we must rely for reserve in time of war upon our Mercantile Marine. We have the question of pensions to consider; and it is impossible to think that the people of this country would tolerate a large establishment of reserves in excess of our requirements for ships in existence simply in order that in time of war we might have a full supply of officers and men. The cost of maintaining such a large number of men on the Active List would be considerable; and, in addition, there would be such heavy non-effective charges that I do not think the proposition one that any Government would care to make, or that the House of Commons would be likely to assent to. The right hon. Gentleman the Member for Bradford made to-night by no means his first speech against the Naval Defence Act of last year. I am bound to say he said nothing very new. He always maintained that the probable result of the measure would be to increase the Naval expenditure of other countries. Other countries, no doubt, have increased their Naval expenditure; but, having watched the matter very closely, I have not been able to trace any increase in the case of America or France in consequence of

what we have done. For years past Americans have called for an increase of their Navy, and very naturally, looking at the extent of the seaboard of their country and the extent of their commerce. They have a large surplus in their treasury just now, and could not put it to better purpose than the development of shipbuilding and the rehabilitation of their Fleet. As to France, I read very carefully the speech of the French Minister, and what he pointed out was that Germany and Italy had largely increased their expenditure, and therefore he thought it necessary there should be some increase of the French Navy. The addition is not very alarming. It amounts to about £2,300,000, and this is to be spread over five or six years. The right hon. Member said that the French Navy, as compared with the British, stands in the ratio of two to three; but I have seen the French Estimates, and find a very slight increase—nothing to sustain the ratio upon which the right hon. Gentleman founded his argument. I do not want to re-state the many arguments that may be urged on behalf of the principles that are embodied in the Naval Defence Act of last Session. The House assented to the measure by a large majority. With regard to the question of Naval administration, I dismiss the financial objections raised by the right hon. Gentleman and put them aside; but when the complaint is made that the head of the Navy is a civilian, whose knowledge of Naval matters must necessarily be small, I must say that, though that fact may have something to do with Naval administration, my experience is that a civilian of common-sense and industry can, if he properly selects technical advisers, discharge the duties satisfactorily. The greatest difficulty a civilian has to contend with is that imposed by Parliamentary administration. He has to be in constant attendance in the House; day by day questions are put down; and I suppose there is hardly a day in which the Director of Naval Construction, the Engineer-in-Chief, or the Director of Dockyards is not taken away from most important work in order to devote half an hour or an hour to the answering of a question put to a Minister in this House. I do not dispute the right of Members to put questions to Ministers. So long as the present system continues it is only reasonable that full information should be given by Ministers.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*Lord G. HAMILTON: When I was interrupted I was about to point out that under the old system of preparing the Estimates the time of the officials was occupied continuously for about three months. Numbers of small questions crop up time after time—such as the type of ships to be built, the number of ships, and matters affecting stores. All these things have to be considered, and the permanent officials have no standard up to which to work. In the future it will be possible to compress the consideration of the annual Estimates into at least one-fourth of the time required under the old system. The time saved can be devoted to the consideration of great questions of principle, and to the establishment of a system under which the various departments of the Navy can work up to a fixed standard. As the advantages of this system became more and more apparent I am certain that everybody, including even the right hon. Gentleman, will prefer it, and will admit that it promotes economy, organisation, and method, whereas the old system undoubtedly led to waste and confusion.

Vote agreed to.

4. £1,103,200, Victualling and Clothing for the Navy.

5. £125,200, Medical Establishments and Services.

6. £11,900, Martial Law, &c.

7. Motion made, and Question proposed,

"That a sum, not exceeding £71,800, be granted to Her Majesty, to defray the Expenses of Educational Services, which will come in course of payment during the year ending on the 31st day of March, 1891."

*(9.15.) Mr. DUFF (Banffshire): I rise, Sir, to move that you report Progress. I do so for the purpose of asking the Government what course they intend to take with regard to the remaining Naval Votes? I think the Committee has been taken somewhat by surprise. I have been here myself the greater part of the evening; but at 10

minutes past 8 o'clock I went away to have my dinner, under the impression that Vote 1 would continue to occupy the Committee, and that we should be able to discuss any questions we wished to raise on that Vote. I knew that two hon. Members intended to speak. When I came back I found that the House had voted £5,000,000 of money. It really looks as if the House took no interest in the Navy—that would be a false impression. Strictly speaking I ought to have been here, but one generally relies on someone to keep the debate going. I hope the First Lord of the Admiralty does not propose to go on with the Shipbuilding Vote to-night, considering that the enormous volume dealing with it was not presented to the House until 4 o'clock this evening.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Duff.*)

*(9.18.) ADMIRAL FIELD (Sussex, Eastbourne): I wish to say I thoroughly echo the sentiments of my hon. Friend opposite. I, like him, have been taken entirely by surprise. I do not desire to criticise the action of Ministers. Probably, they are perfectly justified in the course they have taken; but I think I may say that such a course is most unusual. My hon. and gallant Friend the Member for Pembroke (Admiral Mayne) and myself had given way with great good nature to my hon. and gallant Friend the Member for Bow and Bromley (Sir J. Colomb), who had to take the chair at a meeting in the East End, and during the dinner hour a snatch-Vote was taken. ["Oh, oh!"] Well, I will not call it a snatch-Vote; but it certainly is not usual to take a Vote of this kind during the dinner hour. There was no desire on the part of any of us to interfere with the Government in getting the Vote to-night. We are, however, not made of cast-iron, and cannot do without food. I hope no charge will be brought against us of having failed in our duty to the country in not having discussed these Votes.

*(9.21.) LORD G. HAMILTON: There has been no snatch-Vote, and no attempt on the part of anyone to unduly push the Vote through. Very few Members were present in the House when the first Vote was put. A number of questions had been put to me, and I felt bound to answer them, although not one of the speakers was then present. I am sorry that the speech which my hon. and gallant Friend (Admiral Field) intended to make was not made, and I shall be very glad to assent to any reasonable proposition. What I propose is, not to take the Shipbuilding Vote, the Naval Armament Vote, or the Admiralty Vote.

*(9.23.) MR. SHAW LEFEVRE: I think my noble Friend has proposed a very reasonable thing. I entirely acquit the noble Lord of any desire to snatch a Vote. I hope he will also acquit me of any want of courtesy in not having been here when he answered the remarks I had made. I left the House at 10 minutes past 8 for the same purpose as my hon. and gallant Friend (Admiral Field), and I was surprised when at half-past 8 I returned and found that the noble Lord had finished his observations.

Motion, by leave, withdrawn.

Original Question again proposed.

*(9.25.) MR. DUFF: I should like to ask the noble Lord what policy the Board intend to pursue in regard to the *Britannia?* Some time ago a very important Commission concerning Naval Education held an inquiry, which was presided over by Admiral Luard and consisted of very able men. After the Commission had reported I took occasion to draw the attention of the noble Lord to the Report. Since then I do not think the Admiralty have given any attention whatever to the Report with the exception of having made some alterations with regard to age of entry of naval cadets. After the trouble that Commission took, I think it is due to them that some reasons should be given by the Admiralty for not having carried out their recommendations. At present, naval cadets, after going to the *Britannia* at a very early age, are sent to sea generally for four years. While on board a man-of-war they have no opportunity of pursuing the most scientific part of their education. It is quite impossible to teach the higher branches of mathematics on board a man-of-war, and the Commission lay down the general principle that you ought to separate the technical from the scientific

education. When these young men pass into the College at Greenwich, after having been four years at sea, they are not able to pass the examination they passed when they left the *Britannia;* and consequently, for all scientific purposes, the four most valuable years of their life—those between 16 and 20—are absolutely thrown away. I do not think much can be said in defence of that system. In these days naval officers are required to have a far more scientific education than in former years. The Commissioners recommended that you ought to enter your cadets at a much later age. Your cadets ought to be entered at a later age, say between 16 and 17. At the present moment first-class boys from Greenwich do not go to sea until they are 17, and I do not see it is too late for officers to get their sea legs any more than for the men. For four months they should go to sea and learn the strictly nautical part of their profession, and after that they should proceed with their higher studies, mathematics and foreign languages, in some place where there is opportunity for acquiring them, which we know there is not on board ship. You do not find any foreign nation following our system, and it stands condemned from the fact that four years afterwards the lads cannot pass the examination they passed on entering. The present system deprives them of the opportunity they should have of acquiring a scientific education and knowledge of languages, which they cannot get with equal advantage from a professional crammer. After this mature consideration they have given to the subject I should like to know what steps the Admiralty propose to take with reference to the recommendations of the Commission? I am quite aware that naval men are not at one in their opinion of the Report, but I know no naval men are satisfied with the present system. Some of my late Colleagues at the Admiralty were not prepared to go so far as the Report; but the naval Lords admitted that the present system is unsatisfactory, and there is no remedy in simply raising the age by a year.

*(9.35.) LORD G. HAMILTON: I have looked very closely into the Report of the Commission which sat some four or five years ago, and I and my Colleagues are unanimous in our opinions of its recommendations. The proposition is that these cadets shall be selected at local Oxford and Cambridge examinations in the country at the age of 15, and that after that they shall be put through a special course of preparation for a further examination for another year, and at about the age of 16½ they should begin their professional duties. Now, as for entering the Service at a later age, if there is one thing clearer than another it is that there are considerable discomforts associated with a sea life, which boys do not feel, but which to a young man would be most disagreeable——

*MR. R. W. DUFF: At 17?

*LORD G. HAMILTON: A young man sent to sea and compelled to sling his hammock among scores of others, with no accommodation but his sea-chest, would find his lot so disagreeable, as compared with that of his brothers and relatives on shore, that he would not take kindly to it. Experience is conclusive against the proposal. At one stage of their lives boys are gregarious in their habits, and it is then that they should be sent to sea, when almost any surroundings will be enjoyable. But three years later, when the boy is dawning into early manhood and appreciates the advantages of privacy, this life without early training becomes intolerable. The age of entering for the *Britannia* has been raised to 14½ years, and the entrance examination is made as general as possible, so that any boy of ordinary ability and of good training can pass it. It may well be that a cadet cannot pass again the more difficult part of the examination which he passed four years before; but the same thing can be said of a senior wrangler. The cadets while at sea receive an excellent moral training, together with enough education to keep their minds open. Other nations would be ready enough to adopt this country's system if they could thereby obtain officers as good. To have the men well trained it is necessary to have them at an early age; and the present system has resulted in producing a number of highly-trained, scientific officers, while never were the lower grades of officers so good.

(9.40.) CAPTAIN PRICE (Devonport): The expense of training a cadet is to a very large extent at present borne on the

Naval Votes, and I do not see why that training should not be supplied by the public schools. I am quite aware that the naval cadets are assisted by their parents, but the expense does to a very appreciable extent fall upon the Votes. The Commission recommended that boys should be selected at the age of 16, and then sent to a crammer for a year. I do not think that this is necessary, as any boy of good public-school education is quite capable of going to sea at once. When I entered the Navy (in 1856) boys were entered at the age of 16, and no difficulty was found in getting them. I entered very young, and, like most youngsters, I was mad to go to sea, but I very soon had the enthusiasm knocked out of me, and the first two years of my sea life were about as miserable as any period of my life. It is only about the age of 16 that a lad begins to understand the romance of the Service and to like the life. If a boy goes to sea at 16, he should not be called upon to go in for scientific subjects until entering the Naval College. Let him, from 16 to 19, add seamanship and navigation to his public school education, and then he could spend at least two years in the Naval College, and thoroughly study all those scientific subjects which a Naval officer is expected to understand. I have no sympathy with the present system of training cadets, and I hope, in fact, that the *Britannia* may soon be done away with.

*(9.43.) ADMIRAL FIELD (Sussex, Eastbourne): I do not share the views of my hon. and gallant Friend, and I am thoroughly in harmony with the view of the First Lord. I am not, however, opposed to raising the age for entering the service to 15 years as a maximum. If you abolish the *Britannia*, as my hon. and gallant Friend recommends, your choice will be between sending the lads to sea straight from school or having a college on shore. Well, I think there would be considerable difficulty in keeping good discipline among some 200 young men of the ages from 16 to 19 in a college on shore. It would be far better that they should go to sea straight, and be brought under strict naval discipline. But the answer of the hon. Gentleman opposite is that the system he proposes has been tried and has failed, the present system being established in lieu of it. The late Sir Alfred Ryder, when he was private secretary to the Duke of Somerset, prepared a Return for the Admiralty, showing what became of the lads who entered at the age of 16, in comparison with those who joined the *Britannia* at an earlier age. The result was remarkable. I will not quote it from memory, but the Returns showed that a much larger percentage of those who joined the *Britannia* remained in the Service. I myself joined at the age of 16 and found the life a most disgusting one for the first six months. It was most difficult to acquire any knowledge of my profession except seamanship, because there was no one to teach it. I remember my experience very well, but I need not trouble the House with it, I am entirely opposed to any drastic change, and I think the noble Lord is quite right in resisting it. If there should be any change this is not the time for making it. While you have ships of the type you have at present, better adhere to the present system until you can invent a better. Have Foreign Navies got a better staff of officers? No, I am sure they have not. Ours is not a perfect system any more than any human system, but it has worked well; it has supplied us with talented young officers, and I do not think you will readily find a better system.

*(9.45.) COMMANDER BETHELL: It is amusing to see how hon. and gallant Gentlemen will yield to the influence of myth. It would be well if attention were given to the explosion of some of the myths connected with the naval Service. I believe there is no greater mistake than to suppose a boy cannot become accustomed to sea life at a later age than 16. Some distinguished men have gone to sea long after 16. For instance, Captain Cook first went to sea at the age of 19. I agree with my hon. Friends the Members for Banff and Devonport in the main, but I concur with my hon. and gallant Friend near me that this is not a suitable occasion to raise a regular educational discussion. The system has been arranged by my noble Friend, and whatever views we hold we have very little chance of impressing them on the present Board of Admiralty. I maintain, however, that of recent years the Admiralty have given

undue value to what is called high mathematical and scientific training. Personally I never had any objection to these branches of study; they were never distasteful to me; but it is undoubtedly true of the officers who received high training on the *Britannia* and the *Excellent* that of a hundred not five could, six months after entrance, work out the problems they did when they passed their examination, without the assistance of books and formula. The simple reason is this, knowledge is not required in the profession. If my noble Friend believes, as I think he does, that the officers of our Naval Service are men of high scientific attainments, he is labouring under a complete delusion. No body of officers in the Service ever have been, and I might say ever will be, men of high scientific training, simply because it is not required, and a man will not fit himself with attainments not required in the course of his profession. For my part, I should like to see the whole system altered, and to see boys having had an ordinary education on shore proceed to sea. I believe they would readily accustom themselves to the hardships of sea life, for, after all, it is stuff and nonsense talked about this, there is no real hardship. There was in the days when my hon. and gallant Friend entered the Service, but I am quite sure that judging by the way in which young men crowd into the Navy, they are not considered hardships.

*(9.50.) ADMIRAL MAYNE: I feel very strongly on this subject, and I entirely agree with the last speaker. I happen to be one of the few examples of public schoolboys in the Navy, and I am convinced that it has been of the greatest advantage to me to have had two years at Eton before going to sea. I am opposed to the *Britannia* system from beginning to end. The necessity of entering boys at a very early age has been somewhat emphasised, but I believe if we entered boys in the Navy direct from the public schools they would turn out equally good officers as those we have now. As to what has been said about the disgust that arises at the discomforts of sea life, that applies as much to the age of 12 as it does to the age of 16, and all that a lad has to learn can be equally well learned if he joins the Service after receiving the ordinary education of a gentleman's son. It is probable that all the officers except those who join the torpedo service or special scientific branches know nothing about the subject they passed in two years before. In fact, when they leave college they close their books never to open them again. I would suggest that for any real advantage the education should be carried on for a much longer period. I should like them not to drop their books until, at any rate, they became captains. I do not see why you should not have some such system as the staff college, where officers may continue their education. It is my opinion that we learn little worth remembering until we are grown up.

*(9.55.) MR. DUFF: I think it must be pretty evident there is a difference of opinion on this point among Naval officers. We have what may be called the old school represented by the hon. and gallant Admiral (Admiral Field) who think that the old system is perfect and incapable of improvement.

*ADMIRAL FIELD: I condemned it.

*MR. DUFF: The preponderance of opinion certainly among Naval officers is in favour, if not exactly of the recommendations of the Commission, at any rate in favour of very great alterations in the system. I do not think the noble Lord quite remembers the recommendations of the Commission. There is nothing in those recommendations to prevent boys going back to a public school after the preliminary examination; it is not necessary that they should go to crammers. The proposal of the Commission was that we should do away with the rank of midshipman afloat; that the lads should go for a cruise for three or four months, and then return to a naval college on shore. My hon. and gallant Friend opposite has pointed out the falsity of the assumption that young men did not get on when they joined the Service late in life, and he mentioned the case of Captain Cook, who joined late. I can mention another case of a celebrated officer, Lord Dundonald, with whom I served, who, I believe, did not enter the Service until he was 18. Those familiar with the *Autobiography of a Seaman* will remember the description of Lord Dundonald when in the command of the

Speedy, trying to shave himself, his legs in the cabin, his head on deck. He, as a young man, had to undergo considerable discomforts, but these in no way daunted his ardour for a sea life. The First Lord entertains a good John Bull opinion of British officers as the best in the world, and it is quite right that a First Lord should have that opinion, but as to the possession of scientific acquirements I should just like to mention the evidence of Captain Kane, of the *Calliope*, who says that unquestionably foreign naval officers have a better scientific education than ours, and he has also stated that he does not believe that one English officer in a hundred speaks any language but his own. I do not go as far as that, but I think you do not give your young officers the opportunity for learning that amount of science which is necessary in the Service, and which they ought to have in the same proportion as foreign officers have. I agree with a great deal that has fallen from the hon. and gallant Gentleman the Member for Pembroke. If you do not have special training the best thing is to have naval officers educated like anyone else up to a certain age, and then take them on board ship and let them get their professional education there.

Question put, and agreed to.

8. £57,900, Scientific Services.

*(10.2.) ADMIRAL FIELD: I should like to know whether instructions have been sent out to specially survey that part of the Torres Straits where it is reported a rock has been discovered on which the *Quetta* was lost?

*LORD G. HAMILTON: I have no information on that point, but I will make inquiries.

Vote agreed to.

9. £152,100, Royal Naval Reserves.

*MR. DUFF: I notice that some years ago the reserve number of stokers was 1,000. It was reduced to 600, and now the number is nominally 800; last year you only succeeded in obtaining about 600. I do not know whether the noble Lord will be able to get the number of men which he expects, because at the present moment the position of the naval stokers, as regards pay, is not so good as that of the stokers in the mercantile marine. It is quite true that a naval man can look forward to a pension, but I should like to ask the Admiralty whether they think what they are now offering is a sufficient inducement for men to enter the reserve Service?

(10.5.) LORD G. HAMILTON: When I first came to the Admiralty the system in force was to offer a retainer of £5 a year; that is to say, a man of good character and of certain experience as stoker could increase his wages by £5 a year, simply by becoming a man of the Royal Naval Reserve. I thought we should be able to obtain any number we wished, but the anticipation has not been fulfilled. Whether it is from want of knowledge on the part of the men I do not know. If this system does not answer we shall have to try other means. Whether we shall get more this year than last I cannot say, but my impression is, judging from the state of the labour market, we shall not get them.

Vote agreed to.

10. £445,800, Works, Buildings, and Repairs, at Home and Abroad.

*(10.8.) ADMIRAL FIELD: On this Vote I beg to call the noble Lord's attention to a very grave deficiency, which he knows exists and has existed for many years, and which I know he and his Colleagues are anxious should be rectified—I allude to the want of a dock at Bombay. The want of a dock at Bombay is a public scandal. The noble Lord in his Memorandum very properly refers to it. He says—

"Plans for the proposed naval dock at Bombay have been prepared by Sir J. Coode, under instructions from the India Office, but no funds have as yet been allotted for the purpose."

Whose fault is it? I am told it is the fault of the Treasury. Everything, I believe, waits for the approval of the Treasury. But if the Treasury will not grant this money, surely Her Majesty's Government, which is all powerful in these times, can bring pressure on the Indian Government and make them do what they ought to do. The Indian Government spent close on £400,000 on a floating iron dock. That dock was sent across to Bombay, but I believe that not more than one man of war has ever been docked in it. The money has been entirely wasted. The dock has now been handed over to the Peninsula and Oriental Company at a nominal rent, and

I do not suppose anything has been done to reserve the right to dock our ships in it. Another matter I wish to call attention to is the construction of the dock at Gibraltar. I am told that in his Memorandum the noble Lord speaks of a site having been selected. Are we to understand that plans are in course of preparation, and that the work will be undertaken before the summer passes? I should like to know, too, whether the lengthening of the dock at Malta, which was agreed upon by the Treasury, has been carried out? The work was approved of in May, 1888; it was to be undertaken in July, 1888, but I have not yet heard it has been finished. I earnestly trust the noble Lord will be able to give us an assurance that the dock at Bombay will be built—that if the Treasury will not make a grant, the Government, who have the power, will compel the Indian Government to do their duty in the matter.

*(10.14.) ADMIRAL MAYNE: I should like to know whether, in selecting the site of the dock at Gibraltar, regard has been had to its being placed out of the range of fire from the Spanish heights on the opposite side. I should like to know, also, the exact spot decided upon, its length, and general particulars, and whether it is to be a first-class dock, which will receive the largest ships of this country in the Mediterranean, and afford them the greatest amount of protection. Perhaps the First Lord will say whether the Mole is to be lengthened with the ground taken out of the excavations for the dock, and also whether the question of fitting up or rebuilding the [illegible] has been of late years considered by the Government. I am quite agree with the observations of my gallant Friend about the dock at Bombay, but my hon. and gallant Friend suggests more drastic methods of dealing with Governments and others who do not find all the money required than I imagine could be carried out. I desire also to be informed whether anything is being done at Pembroke. If proper works were undertaken and completed, there would be an annual saving to the country of much more than the annual interest on the money expended, besides making the dockyard far more efficient. I believe the First Lord and all his Colleagues are strongly in favour of the work being undertaken. It is, I understand, merely a question of money. The Chancellor of the Exchequer, whom I see in his place, will, I am sure, raise no objection if it is properly put before him that the saving will be in excess of the interest of the money expended.

*(10.16.) MR. DUFF: I should like some information as to the item in the Vote for the coaling arrangements at Portsmouth and Portland. I presume the item is taken to carry out the recommendations of the Committee as to the necessity of improved coaling facilities for the Fleet. I am certain I shall have all the Naval Authorities with me when I say that the coaling arrangements for the Fleet in cases of emergency are very unsatisfactory. My hon. and gallant Friends opposite (Admiral Field and Admiral Mayne) have alluded to the construction of a dock at Gibraltar. That is a very proper question to ask, because the noble Lord in his Memorandum says—

> "The Admiralty have been carefully considering the provision of a dock at Gibraltar, and have selected a site for it. They have every hope that the dock will soon be undertaken by private enterprise, with help and encouragement from the Imperial Government."

I understand the Civil Lord has recently been to Gibralter, and I hope he will give the Committee the benefit of his investigation. The importance of the dock to the Navy it is impossible to overrate, and therefore I trust the Government will give every possible encouragement to private enterprise to carry out the object.

(10.20.) A CIVIL LORD OF THE ADMIRALTY (Mr. ASHMEAD-BARTLETT, Sheffield, Eccleshall): The Admiralty have recently had the question of a dock at Gibraltar under their close consideration, and it has been decided to make a dock at that very important station. It has practically been decided to make the dock on the New Mole Parade, and if the dock is made there it will enable the Mole to be lengthened as the Naval Authorities desire. Of course, if the Mole is lengthened it will be possible to devote a great portion of it to coaling. The site of the dock is protected from sea fire, but it is practically impossible to obtain a site which would be altogether sheltered from land fire.

The question of the construction of the dock by a commercial company has not yet been settled. There is a consultation now going on between the Admiralty and the Colonial Office, and it is possible the two Departments may undertake the construction of the dock between them. As my hon. and gallant Friend will understand, there is some objection to a dock being constructed by a commercial company. I did not quite catch the object of my hon. and gallant Friend's (Admiral Mayne's) observations with regard to the stores at Gibraltar, but the stores houses are of a very superior character—very large and commodious. With regard to the dock at Bombay, I quite agree with my hon. and gallant Friend (Admiral Field) that there has been an unfortunate delay in the construction of the dock. The hon. and gallant Gentleman has observed very truly that it is due very largely to the difficulty of the allocation of funds, a difficulty which I hope will be removed before very long. I quite agree with my hon. and gallant Friend as to the importance of a dock. The hon. Member for Banffshire referred to the coaling arrangements at Portsmouth and Portland. The item in the Vote concerning Portsmouth is merely a re-vote for the completion of the coaling arrangements there. As to Portland, the coaling arrangements are unsatisfactory. An entirely new scheme has been adopted, which involves the construction of a jetty, so that the coaling may be carried out in deep water.

*(10.26.) MR. SHAW LEFEVRE: It was my intention to raise the whole question of Ascension Island under this Vote, but I did not imagine that the Vote would be taken to-night, and therefore I have not my notice with me. I hope some inquiry will be made before further expenditure is sanctioned with regard to Ascension Island. I believe I am right in saying that Ascension Island is rated as a ship; that it is not considered as an ordinary shore establishment, but that the officers and men who are there are rated as if on board ship, and are paid out of Vote 1. What is the cost of maintaining the island is extremely difficult to make out, in consequence of the expenditure appearing under various Votes. It is very questionable whether the island is of any real value to the Naval Service. No doubt, in former days, the position was an important one; but in these days of steam, the use of the island for any purpose is very small indeed. I know a very large number of Naval officers are of opinion that it is perfectly useless now, and that the Naval establishments there might be given up, or that only a very small force might be kept there. The island is nothing more than a cinder. The vegetation is not sufficient to support cattle or sheep, and the attempt at cultivation was made at very considerable cost. What I would like the noble Lord to do, is seriously to consider whether it is worth while retaining the establishments there any longer, or, at all events, whether the force should not be reduced?

(10.30.) SIR WILLIAM PLOWDEN: I wish to ask a question with regard to the item for storehouses and buildings for the reception of Naval ordnance stores, for which there is a charge of £49,000 for the coming year, and a further expenditure of £13,000 debited to the year 1888-89. I ask on what ground, without the consent of this House, the noble Lord has consented to the building of these storehouses? Surely there was already in existence sufficient accommodation for Naval stores. Is it due to the effect of placing stores under Navy control which were formerly under that of the War Office? At any rate, I see no reason why separate stores should be built for the Navy if the existing stores were sufficient.

*LORD G. HAMILTON: These storehouses were rendered necessary in consequence of the increased quantities of stores provided for the Navy. One point, I may mention, has reference to the storage of powder. The existing accommodation for powder was not very good. The matter was discussed between the War Office and the Admiralty as to which branch should undertake the necessary buildings, and the Treasury, to whom the question was referred, decided that the cost should be borne by the Admiralty. With regard to the question put by the right hon. Gentleman opposite as to the Isle of Ascension, I can assure him that the expenditure referred to was not sanctioned until the Government were satisfied as to the desirability

of retaining that island. It is deemed a most suitable place for a Naval station, and as the climate is salubrious it is regarded as an excellent sanatorium. Of all our Naval stations in the neighbourhood of North-West Africa that of Ascension is, perhaps, the most important.

*(10.35.) ADMIRAL FIELD: I do not think many hon. Members are quite satisfied with the answer given by the First Lord of the Admiralty in reference to the Bombay dock. We know that the Indian Government refuses to pay more than a moiety of the cost, and we ask that the Government should press the Indian Government to pay the whole. I therefore hope we shall receive a more assuring answer on this subject than has already been given by the Civil Lord of the Admiralty.

*LORD G. HAMILTON: I hope we may ere long be able to arrive at a satisfactory conclusion with the Indian Government as to the contribution they should make, but in the meantime a commercial company has undertaken to build a dock at Bombay.

*(10.38.) MR. SHAW LEFEVRE: I should like to ask a further question with regard to Ascension. The noble Lord has said it is a satisfactory Naval station and useful as a sanatorium. As a Naval station I would point out that it is not a coaling station, and, moreover, the sea is often so rough that it is difficult to land for Naval purposes. Moreover, I would ask whether, in point of fact, a considerable number of men are sent there for sanitary purposes? but as I have made some notes on the subject, and should like to go into the matter more fully than I can do to-night, I will endeavour to obtain another opportunity of raising the question in a more formal manner.

Vote agreed to.

11. £133,400, Miscellaneous Effective Services.

12. £793,500, Half Pay, Reserved, and Retired Pay.

13. £933,400, Naval and Marine Pensions, Gratuities, and Compassionate Allowances.

*(10.44.) ADMIRAL FIELD: I wish to call attention to the great dissatisfaction which is felt among the chief petty officers in the Service with regard to their pensions. It is a great hardship on the senior petty officers that they receive no extra retiring pensions in acknowledgment of their rank. The chief petty officer has no recognition in the way of extra pension when he retires from the Service, and that is a very serious grievance. The staff-sergeant in the Army, who occupies similar rank to the chief petty officer in the Navy, draws extra pension when he retires. The chief petty officer, selected because of his knowledge and seamanship, gets no extra recognition for extra rank. Such a faithful body of men as these chief petty officers are deserving of recognition, and I hope their grievance will receive prompt remedy.

(10.46.) COMMANDER BETHELL: I support my hon. and gallant Friend in drawing attention to this grievance, for it does seem wrong that the chief petty officers should get no more recognition on retiring than first class petty officers who are of lower rank and inferior position. I hope the noble Lord will give this matter his attention.

(10.47.) CAPTAIN PRICE: I add my voice in support of my hon. and gallant Friend, for it is a practical grievance which has been pointed out, that officers of similar rank to these chief petty officers should receive full pension while the latter do not.

*(10.48.) ADMIRAL MAYNE: I rise for the purpose of supporting the appeal in favour of the chief petty officers.

*(10.49.) LORD G. HAMILTON: The matter is well deserving consideration. The chief petty officers are an admirable body of men, and I am quite prepared to give the matter my consideration.

Vote agreed to.

14. £330,700, Civil Pensions and Gratuities.

15. £1,200, Additional Naval Force for Service in Australasian Waters.

*MR. SHAW LEFEVRE: I understand the colony of Queensland has declined to make any contribution in aid of this particular Service. I wish to know whether, if that be the case, it will in any way affect the contributions of the other Australasian Colonies. I wish to know whether the £67,000 includes the

proposed contribution of Queensland, or if it does not?

*LORD G. HAMILTON: The original arrangement was that for certain services rendered the colonies should pay certain sums in return. Queensland has not sent a contribution: therefore, it only remains to distribute the expenditure amongst those who have assented to the scheme. The money is not payable until the ships are in commission in the autumn. Communications are being addressed to the colonial Governments in the meanwhile, so that there is reasonable prospect that before the close of the year some appropriation will be made.

*MR. SHAW LEFEVRE: What will be the contribution of Queensland?

*LORD G. HAMILTON: I do not know. The colonies will supply the money themselves. They will decide *pro ratâ* what they shall bear.

Vote agreed to.

ARMY (ORDNANCE FACTORIES) SUPPLEMENTARY ESTIMATE, 1889-90.

16. £15,000, Supplementary, for Army Ordnance Factories.

Resolutions to be reported to-morrow; Committee to sit again upon Wednesday.

INFANT LIFE PROTECTION BILL.—
(No. 142.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(10.50.) MR. H. H. FOWLER: I would suggest that the right hon. Gentleman should allow the Bill to be read a second time to-night that we may put down our Amendments. Possibly, the Bill might go to a Grand Committee.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): If it is the desire of the House, I have no objection at all. My hon. Friend who has charge of the Bill was not present, and I thought it desirable to postpone it. It is a Bill which obviously requires amendment in Committee.

*MR. H. H. FOWLER: A fair time will be allowed for putting down Amendments?

*MR. W. H. SMITH: Certainly.

*(10.52.) MR. J. R. KELLY (Camberwell, N.): Sir, this is one of the strangest Bills that was ever brought before the House. The object of it is the protection of infant life, and we all know the worst cases are those in which a lump sum is paid by the mother to get rid of the child. Now, by the 1st clause, you find that no person shall take any infant under the age of five years for the purpose of maintaining or nursing it for a longer period than 24 hours, except in a house which has been registered. I want to know what poor people would do if that became the law. Why, Sir, if this Bill passed in anything like its present shape, the working-man who had a child stricken with fever could not hope to get some kind neighbour to take temporary charge of his other young children, so that they might be removed from the danger of infection; if his wife were in the greatest danger and his doctor told him that her condition was such that it was necessary that her young child should be sent away for the mother's sake for a few days, he would look in vain for some friend ready to take care of the child for him. The poor cannot afford to keep the children of their poor neighbours, and, if anything at all were paid in such cases, the payments, however small, would at once convert such neighbours into "baby-farmers." People must know little indeed of the feelings of our working classes, if they suppose for one moment that they would ever consent to having to choose between registering their humble homes as baby-farms, or being dragged before a magistrate, simply because they might be anxious to help some poor neighbour with a fever-stricken home. And what about our relatives in our Dependencies? We know what a tremendous wrench it is to parents to deprive themselves of the pleasure of being with their children, and that there is probably scarcely a parent in India who has not to leave some child with a friend or relative in this country. But no clergyman in the country would be able to take the child of an Anglo-Indian except his house was registered as a baby farm. Or take the case of a married servant whose husband dies. Is her former mistress to be able, as now, to come to her rescue and help her and keep her while her child is

placed with a neighbour? Or is this to be made impossible because the neighbour is to be summoned before the magistrate if he has not his house registered as a baby farm. Are we to make it so impossible for parents to get their friendly neighbours to take charge of their children that they will be unable to earn their living as they now earn it? I venture to think that this clause is wrong from beginning to end. You want to prevent baby farming, but you do not want to prevent a poor girl who has slipped and had a child, from being able to put the child out with somebody who can take care of it. A married friend could not take care of the child for her without having her husband registered as a baby farmer. The one thing this House should wish to do is to make it impossible to carry on what is known as baby-farming; to do this we should seek to prevent lump sums being paid to people who will starve to death the children entrusted to them. The position of such wretches would not be altered in any way by this Bill. There never was a title which gave a worse idea of the contents of a Bill than that of the Infant Life Protection Bill. It is a Bill for the persecution of honest poor parents, and the greatest injustice will be done if the 1st clause passes. May I say that even the Foundling Hospital will, under this Bill, have to be registered as a baby farm? The Hospital puts a number of children out to nurse with respectable poor people, and every single one of these people will have to be registered as a baby farmer. The 2nd clause provides that where an infant is registered, the person by whom it is registered shall truly state the name and sex and age and place and time of birth in his or her own name and the place or places in which he or she has resided during the six months immediately preceding. Then a girl who has once tripped is to have no chance or hope of concealing her shame and leading a good life because the finger of shame can be pointed at her by anyone who knows anything about the register! That is the last thing which Christian people would wish to see. I would appeal to the right hon. Gentleman (Mr. Matthews) to postpone the Second Reading. I am sure there is scarcely anyone in the country who knows what the real operation of the Bill will be. I have seen but one notice of it, which appeared in the *Times* newspaper, and there was no attempt made to state there except in the words of the Bill what its object was. I invite the House to consider not what the object of the Bill is, but what its effects will inevitably be. I beg formally to move that the debate be adjourned.

*MR. SPEAKER: Does anyone second the Motion?

MR. TOMLINSON (Preston): I beg to second it.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Kelly.*)

Question put, and negatived.

Original Question again proposed.

*(11.10.) MR. M'LAREN (Cheshire, Crewe): This Bill will act so injuriously on those persons, who will undoubtedly be brought under its operation, that I think the Home Secretary or one of the other Members of the Government ought to make a distinct promise that it will be modified. Of course, I am anxious that the evils of baby farming should be checked; but I think that may be done very well without the stringent provisions of this measure. In regard to the 1st clause, it is perfectly clear that, as the Bill stands, if a working man who is a widower removes in search of work and leaves his child with his mother or married sister or some other relative, or even a friend, his relative must have his or her house registered as a baby farm. This is a provision which ought not to be enforced. There ought to be some exception in the Bill in favour of relatives and real friends. I can hardly imagine that the intention of the Home Office was to produce such a clause as this. I should imagine that the section has been drafted by some no doubt well-meaning person who is ignorant of the way in which it would operate, and who has had very little experience of the manner in which the poor live. The point is one on which I hope we shall have an explicit assurance from the Government. Then, under the 2nd clause if any unfortunate woman, who has had an illegitimate child, leaves her child with some other person to be maintained while she goes out to service, she must leave her name and address, and describe

where she has been for the previous six months. If it is to be purely private information, there will probably be no great harm in it; but the poor woman, whose only hope is to conceal the misfortune that has fallen upon her, has to register the information, and I presume it will become the property of some public official. I should not object so much if the names of both the father and mother were to be registered; but I object to the name of merely the poor woman being given. If the Bill ever reaches Committee I shall try to amend it on this point. We all know that when a Bill has been read a second time and these general sweeping provisions have been endorsed by the House, it is impossible to remedy any defects of principle in Committee. When we reach the Committee stage we find the Members interested in such points as these a mere handful; and when Divisions are taken, Members who know nothing of the merits of the question, come in by the hundred and vote us down. I trust that the Government, as they are anxious to pass the Bill, will do what they can to render it a really good workable measure, and that they will give me an assurance in the direction I have indicated. There must be Members on both sides of the House who have not studied the Bill—probably few Members present read a word of it before to-night; therefore, it is desirable that the Government should not unduly force it upon us. I would urge the Government to give us an assurance that the Bill will not be pressed forward in its present form. I also specially urge that it should be referred to a Select Committee, as the only chance of its being put into a proper shape.

*(11.21.) SIR R. FOWLER (London): The points raised by the hon. Gentleman who has just sat down and my hon. Friend on this side of the House, are really matters for discussion in Committee. The right hon. Gentleman the leader of the House has admitted that the measure requires amendment in Committee; therefore I trust the House will take the Second Reading to-night, on the understanding that the Bill is to be thoroughly discussed either in the Grand Committee or by a Select Committee. The Bill is a good one, and I do not think time should be lost in passing it.

*(11.22.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Second Reading of this Bill came on rather unexpectedly, owing to the progress made with business. The Bill is aimed solely at cruelty to and the maltreatment of infants, and the necessity for it has been shown by a certain class of cases which have recently been before coroners' courts. The Act of 1872 has been evaded by baby-farmers not having more than one child at a time. The practice is to hand the children on to others, without giving names or any information as to parentage, on the payment of a lump sum and without asking any questions, and the policy of the Bill is to take away interest in the cruel treatment and death of a child. No doubt there is room for the amendment of the details of the Bill. The 13th section of the Act of 1872 excepts children left by parents with relatives and guardians and children received by institutions for the care of infants. These exceptions may be extended so as to meet the case of the Foundling Hospital and other institutions which not merely receive children but also place them out with foster-parents or nurses. The Government are by no means averse to the consideration of Amendments. If it is the wish of the House to send the Bill to a Standing Committee the Government will not offer any opposition to such a proposal. The Bill has been prepared by the Home Secretary after full consultation with some of the great Municipalities, which are the Local Authorities charged with the administration of the Act of 1872. These, except so far as they are neutral, have expressed their approval of it.

(11.26.) COLONEL NOLAN (Galway, N.): I think that in this Bill the meshes of the net are much too narrow. The attempt is a clumsy one to meet a crying evil. The measure may operate fairly enough in London or in large towns in England, and even in Dublin and Belfast; but it would not in the country districts of Ireland, where many young children are left with parents and relatives by people who go to America. In cases where children are left behind

in that way the people receiving them would be liable to prosecution under this Bill. And looking at the Bill from a financial point of view it is extremely pernicious, seeing that the Local Authorities in Ireland are not the Municipalities but the Poor Law Boards. The Poor Law Boards will have to pay relieving officers or somebody else to look after the working of the Act, and the people already have to pay so much in the shape of rates that they are unwilling to extend the functions of the officers of the Boards. The rates will be increased in this way, and they will also be increased by the fact that children will be put into the Union if they cannot be left with friends when the parents go to America, and when put into the Union they will be kept there until they are 11 or 14 years of age. We might have to maintain these children in the workhouses 8 or 10 years. This would be an artificial increase in the number of children in the Unions, which number ought to be kept down to the lowest possible point. I would ask hon. Members to strike Ireland out of the Bill when it gets into Committee.

MR. TOMLINSON rose.

*MR. SPEAKER: The hon. Member has exhausted his right by seconding the Motion for adjournment. He has thus spoken on the Main Question.

(11.29.) MR. GRAY (Essex, Maldon): Hon. Members must naturally sympathise with the objects of the measure; but whilst approving of the principle of the Bill many of us are bound to criticise its details. In the rural districts children are constantly left with respectable neighbours while their parents go haymaking and harvesting. Then in the summer numbers of children are sent from London and the large towns to live for a few days or weeks for the benefit of their health with cottagers living in the villages. I should be sorry to see unnecessary restrictions placed upon these things, and I hope nothing will be done to prevent such charities. If details such as these are attended to in the Bill I should see no objection to its passing.

(11.30.) DR. CLARK (Caithness): Now that we have had an explanation from the Under Secretary as to the reasons of the Government for introducing this Bill, I must at once say that I am not satisfied that his arguments are sufficient to justify the introduction of the measure. The Act of 1872, which provides for the registration of any person who took charge of more than one child, is a very wide one. But the present Bill proposes to carry the principle further, by requiring the registration of any person who takes charge of one child for any period beyond 24 hours. I am afraid that the only effect of such a provision in Scotland, at any rate, will be to manufacture criminals. I was at one time resident doctor at the Royal Maternity Hospital at Edinburgh, and I knew of many cases where people, by payment of £50 or £100, were relieved for ever of the charge of their illegitimate offspring. But, in future, if a person takes one of these children, she will require to be registered under the Act. Again, I say that if the Bill is passed in its present form, and the Local Authorities appoint officers to carry out its provisions, the result will be to manufacture criminals. I do not think that the Government have advanced any reasons for adopting this Bill, which will prevent poor people taking charge of illegitimate children—as they often do out of kindness—because they will look upon it as an indignity to have to register themselves as baby-farmers. I shall therefore vote against the measure.

(11.33.) MR. JACOB BRIGHT (Manchester, S.W.): Are we to understand that the Bill will go before a Select Committee? In regard to Clause 5, which authorises the appointment of officers to visit houses which they have reason to believe are used as baby farms, I think it is most objectionable, indeed a more objectionable proposal was never brought before this House. In order to remove one evil the Bill proposes to establish a still greater evil. What will be the result of insisting on the registration in all cases? In towns the system may not work so disadvantageously; but in rural districts a man whose wife suddenly dies may have to send his children to a registered house many miles distant, instead of being able to place them under the care of a neighbour. If such a Bill were proposed in an Assembly in which poor people were represented it would never pass.

*(11.34.) SIR R. TEMPLE (Worcester, Evesham): I am strongly in favour of the principle of the Bill, subject to modification in detail; but I agree that it is one that could best be dealt with by a Select Committee of experts, or of those specially interested, as it may not perhaps be of sufficient magnitude or complexity to send to the Standing Committee on Law and Justice. As a member of that Standing Committee I do not think it is as well qualified to deal with this Bill as a Select Committee would be.

(11.37.) MR. JOHN O'CONNOR (Tipperary, S.): I am constrained to interpose in this debate because of the silence of the Government on the question raised by my hon. and gallant Friend the Member for North Galway, as to whether they will consent to exclude Ireland from the Bill if the majority of the Irish Members should object to the extension of its operations to that country. The measure may possibly be desirable in England, Scotland, and Wales; but the social conditions of Ireland are entirely different, and therefore it should not be made applicable to that country. There is in Ireland an old historic custom, in accordance with which the children of one class of people are often fostered by people belonging to another class. This Bill will strike at the very root of this custom, which results in establishing strong feelings of affection between persons belonging to different classes. We therefore think that if it is strongly opposed by Irish Members Ireland should be exempted from the operation of the Bill.

*(11.39.) MR. J. S. GATHORNE-HARDY (Kent, Medway): If we are to understand that the Bill will be used only as the text for a Bill dealing with this subject I shall not oppose the Second Reading. I sympathise greatly with the object of the Bill; but I should not like to see it become law in its present form. The first clause will have just the opposite effect to that intended, as it would compel children to be sent to baby-farmers, instead of to relations or friends, and no amount of inspection would secure the proper treatment in all cases of these unfortunate children. I hope the Government will consent to send the Bill to a Select Committee.

(11.40.) MR. ROWNTREE (Scarborough): I agree entirely that the intentions of those who introduced this Bill are admirable; but I am sure that if it were carried in its present form those intentions would be defeated; and I do not think that public opinion will support the clause which will make it necessary for all persons who take charge of children to register themselves, even though they may be related to the person handing the charge over to them. I think many Local Authorities would not like to carry out the provisions of the 5th clause. It is very desirable that the Bill should go before a Select Committee.

*(11.42.) MR. F. S. POWELL (Wigan): I have carefully examined the provisions of this Bill, and am bound to say I do not think it should be allowed to pass in its present form. I agree that it should be referred either to a Grand Committee or to a Select Committee; the latter would be the more competent, I think, to deal with the matter, because it is one requiring special knowledge, and one on which evidence should be taken. On the one hand, it is desirable to prevent cruelty to children; but, on the other hand, you must not unduly interfere with the rights of parents.

(11.44.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Assuming that the Second Reading is to-day agreed to, Her Majesty's Government are quite prepared to refer the Bill to a Committee, and if the House prefers a Select Committee no objection will be raised. As to the exclusion of Ireland from the scope of the Bill, it ought to be borne in mind that this measure proposes to amend the Act of 1872, which already applies to Ireland; and if the original Act applies to Ireland surely the amending Act, which proposes to remove certain blemishes in the original Act, ought to apply to that country as well as to the rest of the United Kingdom. It may be that you cannot strike at the blots in the existing Bill without hitting some innocent persons; but the question is, whether the remedy provided by the Bill will not greatly outweigh the objections which may be raised in the interests of one section of the community affected by it.

*(11.46.) MR. DONAL SULLIVAN (Westmeath, S.): As a protest against

the eminently unsatisfactory answer of the right hon. Gentleman, I beg to move the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Donal Sullivan.*)

The House divided:—Ayes 17; Noes 151.—(Div. List, No. 29.)

Original Question put, and agreed to.

Bill read a second time, and committed to a Select Committee.

SOUTH INDIAN RAILWAY PURCHASE.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the Secretary of State in Council of India to raise in the United Kingdom, on the securities of the Revenues of India, any sum or sums of money, not exceeding in the whole the sum of £5,267,556 11s. 2d., for the purchase of the South Indian Railway, and for the discharge and redemption of debentures thereon.

Resolution to be reported to-morrow.

CROWN OFFICE BILL [LORDS.]
(NO. 173.) SECOND READING.

Motion made, and Question proposed, "That the Bill be now read a second time."

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): This Bill is a formal one, to enable the Government to carry out certain engagements entered into by the Lord Chancellor, with regard to a re-arrangement of Offices.

COLONEL NOLAN: Can an Amendment be proposed to the Bill in Committee enabling Catholics to hold the Office of Lord Chancellor, and other Offices, in Ireland?

SIR R. WEBSTER: No; that is outside the scope of the Bill.

COLONEL NOLAN: I do not see much use in taking this Bill at this hour of the night.

Question put, and agreed to.

Bill read a second time, and committed to a Select Committee.

DEEDS OF ARRANGEMENT BILL.
(No. 163).

Considered in Committee.

Clause 1.

Committee report Progress; to sit again upon Monday next.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 80).

Considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2 agreed to, with Amendments.

Clause 3.

*MR. LAWSON (St. Pancras, W.): May I point out to the hon. Member in charge of the Bill that as now drawn some of the clauses will be quite useless in the Metropolis. I believe he proposes to accept Amendments to apply the Bill to London?

*MR. LEES KNOWLES (Salford, W.): There are certain Amendments having relation to the London County Council that require consideration. They will take some time, and perhaps the hon. Member will agree o their consideration on Report.

Clauses 3, 4, and 5 agreed to, with Amendments.

Clause 6.

*MR. McLAREN: At this point I must object. There are Amendments I wish to propose, but I havenot yet framed them.

MR. LEES KNOWLES: Perhaps the hon. Member will, in order that we may save time, now agree to move the Amendments on Report. Or will he mention them now?

*MR. McLAREN: I am sorry to object, but there are one or two clauses to which I wish to move Amendments; but as I had no idea the Bill was coming on to-night I am taken by surprise, and have not the Amendments ready.

Committee report Progress; to sit again upon Thursday.

HARES PRESERVATION BILL [LORDS].
(No. 187.)

Bill read a second time, and committed for to-morrow.

MOTIONS.

EDUCATIONAL ENDOWMENT (SCOTLAND) (FERGUSON BEQUEST FUND.)

*(12.20.) MR. HOZIER (Lanarkshire, S.): I am extremely sorry to be compelled to

trespass, even briefly, upon the time and attention of the House at such a late hour, but that is one of the disadvantages under which we all labour, when we find it to be our duty to bring up for revision or rejection any of the schemes of the Educational Commissioners. I wish that some more satisfactory arrangement were adopted for dealing with these questions by the appointment of a Select Committee, as has been suggested by my hon. Friend the Seconder of my Motion; but, in the meantime, this is the only course open to us. The facts connected with this scheme are well-known to the Government and to Scottish Members. Mr. Ferguson died as recently as 1856. He made a very handsome provision for his relations, and after leaving about £50,000 for general educational purposes, he bequeathed the residue of his estate as a permanent fund for specific purposes, little thinging that Commissioners would ever be appointed to divert such funds. This residue of the estate he bequeathed for the benefit of five special Churches, which he named. In order that these five Churches should have exclusive control of the fund, he arranged that there should be 13 Trustees, all of them to be communicants of one or other of the five Churches, according to the proportions in which the various Churches were to be beneficiaries under the Trust. Three of the Trustees were to be communicants of the Established Church, four of the Free Church, four of the United Presbyterian, one of the Reformed Presbyterian, and one of the Congregational or Independent Church. He specially laid down, as the Trust Deed shows, that his Trustees should have an entirely free hand as to the various proportions in which they were to allocate the fund to the various objects connected with these churches. The very keynote of his intention was that the fund should be a permanent supplement to voluntary effort connected with these five Churches. I emphatically say "voluntary effort," inasmuch as the old parish schools were excepted, because they were not voluntary, and the Established Church was only to be a beneficiary so far as *quoad sacra* Churches were concerned—that is to say, Churches without any regular endowment. No real complaint has ever been made by the people of Scotland in regard to the management of the Trustees; on the contrary, the greatest satisfaction prevails. The provisions of the scheme to which we strenuously object are that the Trustees of the fund should hand over £1,600 a year as well as the income of the Ferguson Scholarship Fund, which was founded by the Trustees out of an entirely separate fund, to an entirely new Governing Body, who need not necessarily be in any way connected with any of the five Churches; and that the annual amount, after paying the Ferguson Scholarships and the necessary expenses of management, should be devoted to making grants to assist schools in giving, not religious education, but higher instruction. Moreover, the scheme points to the largest centres of population and the richest districts as being those to which the grants should be allocated. Many objections may be urged against the scheme. One objection is with regard to the additional expense of the management of the fund if there is to be a new and distinct Governing Body. The present management of the permanent Fund would have to be continued at the same expense as hitherto, while I believe that the additional expense would amount to at least £300 a year. That would come out of the £1,600. But the great and insuperable objection to the scheme is that it traverses the expressed intentions of the founder, who, after leaving what he considered ample—namely, £50,000—for general educational purposes created by the Ferguson Bequest Fund what he hoped would be a permanent endowment of the five Churches for purposes directly connected with these five Churches. There has been no scheme of the Endowment Commissioners that has given such general dissatisfaction throughout the length and breadth of Scotland. The vast majority of Scottish Members are opposed to the proposals contained in the scheme, as is clearly shown by the signatures to the Memorial promoted by my hon. Friend the Member for North Ayrshire (Mr. Hugh Elliot) and myself. Let us most carefully bear in mind that the Founder of the Trust

died as recently as 1856. Up to the year 1887 three of the original testamentary Trustees were still alive, and they entirely concurred in the present management of the Trust. One of these original testamentary Trustees—Dr. Paterson—is still with us, to record his most emphatic protest against the proposals of the Commissioners. I hope the Government may see their way to acquiesce in this Motion which I now beg leave to submit.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent to the Scheme of the Educational Endowment (Scotland) Commissioners for the management of the Endowment known as the Ferguson Bequest Fund."—(*Mr. Hozier.*)

(12.25.) MR. HUGH ELLIOT (Ayrshire, N.): In seconding the Motion, I may mention that I have more than once suggested that these schemes should be sent to a Select Commttee of this House. I regret that the suggestion has not been accepted, because such a Committee would give them a far better consideration than a scheme can receive in this House at this time of night. I can hardly conceive a scheme which calls more for the intervention of the House than the present one. Here is a gentleman, a contemporary of our own, who died, leaving ample provision for all his relations, and who, in the exercise of his legal right, left a certain sum to Trustees, who were to be members of certain churches, for the use of those churches and the religious work of those churches. I admit that the word "education" occurs in the will, and is one of the objects of the legacy; but it is an education which is to be more or less religious—education controlled by religion. Mr. Ferguson's intention was that the people should be educated, but religious too. There is nothing objectionable in that. It is praiseworthy, and the endowment has worked very well. But the unfortunate word "education" induced the Commissioners to step in, and they have disconnected education from the religious connection Mr. Ferguson intended to give it. They gave this money to useful objects, no doubt—to higher education; but if we want higher education, let us provide it from proper funds. Do not let us strip churches or anybody for the purpose of establishing higher education. Often and often since the passing of the Act of 1882 has Parliament been asked to step in and check these schemes; but the check that this appeal to Parliament was to provide has hitherto been useless, I think, and votes have always supported the Commissioners. To-night, however, I hope for better things. We have a strong case, which my hon. Friend has put very clearly, and I think we may look to the issue with some confidence.

(12.30.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): As my hon. Friends the Mover and Seconder of this Motion must be aware, the House has been hitherto slow to interfere with the discretion vested by Statute in the Commissioners, and I hope it will retain that reserve in disposing of the remaining schemes which have to come before it. Most of these schemes are in a general sense local, and sometimes the interests involved are minute. I am quite certain of this: that whatever opinion may be entertained of the merits of this particular scheme, there can be but one estimate of the exceeding ability, attention, and pains bestowed by the Commissioners upon the several subjects which have come under their cognisance. Accordingly, in considering the present question, I am certain there is in no part of the House any intention to disparage the judgment or discretion of the Commissioners. But we cannot ignore the fact that the Act of Parliament leaves with the two Houses of Parliament the ultimate decision and responsibility. The question on the present occasion is whether there are adequate grounds for Parliament interposing in order to arrest the due action of the Commissioners in regard to this scheme? My hon. Friend has been able to present a case in which the interests at stake are considerable, the amount of the endowment is large, and, what is more, a large part of Scotland is directly interested. Several counties are beneficiaries, and almost all the larger religious denominations are amongst the custodiers or Trustees of this endowment. Accordingly, it is impossible to regard this as one of those purely local questions. Then my hon. Friend very justly dwelt upon some of the other salient features of the case. One, which my hon. Friend the Member for Lanark-

shire commented on, was the very recent date of the will. I am quite aware that the Act of Parliament places within the review of the Commissioners all endowments founded as late as 1872; but, at the same time, the fact that this gentleman only died in 1856 raises a very striking peculiarity in this case. Another point is that some of the wills which have come under the cognisance of the Commissioners have indicated some obscurity, or want of complete following out of all the objects and means which the testator might be presumed to have contemplated. That is not the case here. There is most careful and minute attention to the following out of the scheme through all its various phases. There is also what was of immense importance—there is a very anxious choice of those who are to be the guardians of the interests under the Trust. Accordingly, I find in this case several large features standing out distinguishing it from those which have previously been under the attention of the House. But there is one which I think still more important It is said this is an educational endowment; but the bequest is so embedded in the other provisions of the will, and so closely connected with the provisions in favour of Religious agencies, that positively the amount to be given to education in any one year is to be determined by the Religious Bodies with reference to their religious requirements. Accordingly, it cannot be said that to separate and segregate the educational part of the fund from the rest is a very complete or effectual carrying out of the intention of the testator. I have, therefore, come to the conclusion that this is a case open to Parliament to consider whether the scheme—assuming it to be the best possible—ought to be adopted, or whether the intention of the testator should be given effect to. I find that question prejudged by the opinion of Scotland. There is, unquestionably, a strong and warm feeling on this subject. Most useful and beneficent influence has been exercised by the existing administrators of this money. Under these circumstances, I am bound to say that it is the opinion of the Government that Parliament may well interpose. I wish the House to understand that we do so not to pass any censure or adverse judgment on the scheme of the Commissioners. The Commissioners, of necessity, took up and dealt with the case, inasmuch as it fell within the terms of the Act of Parliament. But we cannot divest ourselves of the responsibility of judging whether this is not one of those cases where Parliament ought to vindicate the endowment as being more usefully applied to its present purposes than to those projected. I have observed, from the opinions expressed in this debate, as well as in the Lobby, that that is the sentiment which generally prevails. I am quite certain, so far as I and my hon. Friends are concerned, that there is no reluctance to interfere in defence of what is practically a religious endowment, and not the less because that endowment is in the hands of Dissenters as well as of members of the Established Church.

*(12.36.) MR. W. P. SINCLAIR (Falkirk): I congratulate the Government on having in so handsome a manner given way on this matter, to what I may fairly call the general desire of Scotland. I believe it to be the general opinion throughout Scotland that had the Government insisted upon this scheme being carried into law, as they might easily have done with their strong majority, the feeling of dissatisfaction throughout the country would have been great. The administration of the Trust has been entirely satisfactory in the past, and I may add my conviction that the future administration of the charity, which this decision of the Government leaves unchanged, will be found as satisfactory in the future as it has been in the past.

(12.37.) MR. D. CRAWFORD (Lanark, N.E.): I would remind the House that this is a very grave decision at which it appears it is likely to arrive. I am far from saying that strong grounds have not been made out by the Mover and Seconder in favour of their contention; but I believe that this is the very first time in a series of years on which a scheme of the Education Endowment Commissioners has been upset by this House. I regret that the suggestion which was made by my hon. Friend the Member for North Ayrshire, in favour of further inquiry, has not been persisted in, and has not been acceded to by the Government. It is true that a great

deal may be said in favour of the proposal for the rejection of this scheme; but I think if we had in this House a local guardian of higher education, the case might have been more adequately presented to us. I do not take upon myself to say that the decision which the House is about to come to is wrong; but it is with a feeling of very great reluctance that I join in upsetting a decision of the Commissioners, whose previous action has always stood the test of the most minute examination, and whose labours have always resulted in the utmost benefit to the country.

*(12.40.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): As one of the Commissioners responsible for the scheme I may perhaps be allowed to say a word or two, not in opposition to what appears to be the general sense of the House, but in explanation of the action of the Commissioners. First, I should like to point out that Parliament imposed on the Education Endowment Commissioners the duty of re-organising the educational endowments of Scotland, and it therefore became incumbent on them to take cognisance not only of endowments which were wholly educational, but also of all charitable endowments which had an educational side. We were thus forced to deal with the Ferguson bequest. The Founder had named education as one of the objects which his residue fund was to assist, and his Trustees acted upon that instruction in a way which I will immediately mention. I must demur, however, to this bequest being described as one for the benefit of the churches named. It was not for the benefit of the churches, but for the prosecution of religious and educational work under the care of these churches. Well, the trustees of Mr. Ferguson for 16 years previous to the passing of the Education Act contributed a large sum every year in grants for the promotion of education. During those years the average amount of the grants for education from the bequest was £2,078 a year. On the passing of the Education Act of 1872, as hon. Members are aware, there was a great change in Scotland in the management of education. The churches named in Mr. Ferguson's will, which had maintained schools before, may be said to have discontinued them, or handed them over to be maintained by the School Boards. The Ferguson Trustees, having no longer the same applications from the churches for assistance to educational work, bestowed their grants on other useful objects, and so it came about that for 13 years after 1872 their grants for education averaged only £290 a year, instead of £2,078, as before. But I would ask hon. Members to look at the case from the point of view of the Commissioners. They will see that the Commissioners thought they had here an endowment with an educational side—one which was in part an educational endowment; and, guided by the action of the Trustees themselves before the Education Act was passed, they considered they were not asking too much in claiming £1,600 for education, as representing what the Trustees' estimate was of Mr. Ferguson's view in giving education a place in his will. As to applying the money to higher education, I would remind the House that it was part of the instruction from this House that the Commissioners were, as far as might be, to secure in educational endowments an adequate portion for the promotion of higher education. I hope that as the Government will not allow this money to go to the purposes of higher education, they will make up for the loss in some other way. I will add that although the scheme has been petitioned against there has been also many Petitions in its favour. I will also add that in claiming part of this endowment for education, the Commissioners do not dispute the good work done by the Trustees. Our scheme was not intended to cast any reflection on the proceedings of the Trustees.

*(12.50.) MR. MARK STEWART (Kirkcudbright): At this late hour I rise only to say one word—I may conscientiously say that the Ferguson bequest is one of the best administered Trusts in Scotland, and I sincerely thank the Government for acting as they have done. I have had many representations made to me in favour of it, and only one—from the Educational Institute of Scotland—in support of the scheme now before the House.

Question put, and agreed to.

House adjourned at five minutes before One o'clock

HOUSE OF LORDS,

Tuesday, 18th March, 1890.

EARL MOUNT CASHELL.

Report made from the Lord Chancellor, that the right of Charles William Earl Mount Cashell to vote at the Elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

EARL OF LONGFORD.

Report made from the Lord Chancellor, that the right of Thomas Earl of Longford to vote at the Elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

COLONIAL COURTS OF ADMIRALTY BILL.—(No. 29.)

House in Committee (on Re-commitment) (according to order); further amendments made; the Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 44).

INDIAN COUNCILS BILL.—(No. 40.)

Read 3ª (according to order); an Amendment made; Bill passed, and sent to the Commons.

House adjourned at a quarter before Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 18th March, 1890.

NEW WRIT.

For County Down (Eastern Division), *v.* Richard William Blackwood Ker, Esquire, Chiltern Hundreds.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL BILL.

By Order.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(3.15.) MR. BAUMANN (Camberwell, Peckham): Before this Bill is read a second time I desire to record my protest against the manner in which the Measure has been drafted and presented to Parliament by the London County Council. On the title it is described as—

"A Bill for the improvement and alteration of a bridge over Bow Creek, at Barking, and the acquisition and management of Brockwell Park, and to confer further powers on the London County Council."

This is an innocent, even an attractive title, but I find that behind a bridge over Bow Creek and the acquisition of Brockwell Park are inserted clauses of a highly controversial and objectionable character, which we are to discuss as a sort of *pot pourri* of legislation. Among the numerous proposals of the Bill is one contained in Clause 72, that no building shall be erected of a greater height than 70 feet without the consent of the Council. There are others to alter the time of calling the meetings of the Council, to change the arrangements for signing cheques, to change the law of rating in regard to the Metropolis, and to exempt members of the Council from the liability of serving on juries, and to give them power to administer oaths. Having regard to the notice which has been placed on the Paper by the President of the Local Government Board, I do not propose now to discuss these clauses further, but I will merely say that this is the first time in the Municipal history of London that the Metropolitan Municipal Authority has attempted, under cover of schemes of local improvements which we all desire, to smuggle through this House—[*Cries of* "Oh!"]—clauses of a highly controversial and objectionable character, changing not only its own constitution, but the law of the land. Observe the cunning — certainly not of a very high order — with which

this Bill has been drawn. In the vanguard of the clauses of the Bill is placed the acquisition of Brockwell Park, which the County Council know very well all the Metropolitan Members are desirous of securing. They have calculated that we South London Members in particular would not dare to vote against a Bill for the acquisition of Brockwell Park, and, miscalculating upon our cowardice, they have thought proper to insert in a Bill which is nominally for the acquisition of Brockwell Park all sorts of objectionable and dangerous clauses. I have no doubt that the London County Council think they have done a very clever thing in drafting a Bill of this kind, but it is a piece of sharp practice worthy only of the office of Dodson and Fogg. I am quite sure that the right hon. Member for the University of London and the other hon Members whose names appear on the back of the Bill, are unconnected with this proceeding, and, therefore, I do not hesitate to describe it as a disreputable manœuvre, an unscrupulous stratagem, of which the Metropolitan Board of Works, with all its faults, was incapable. The Metropolitan Board of Works always treated the House of Commons, in regard to its public and private Bills, in a straightforward and above-board fashion, and if the London County Council chooses to depart from the recognised methods of transacting public business, it cannot be surprised if its Bills meet with opposition, and are received with suspicion by this House. I feel so strongly upon the matter that I hope the House will reject the Bill.

*Mr. SPEAKER: Does the hon. Member make the Motion which stands in his name?

*Mr. BAUMANN: I think the best course I can adopt is simply to record my public protest. [*Ironical cries of* "Hear hear."] If that is the spirit in which I am to be met by hon. Members opposite, I will move as an Amendment that the Bill be read a second time on this day six months.

*Mr. J. KELLY (Camberwell, N.): I beg to second the Amendment.

Amendment proposed, to leave out the word "now," in order to have the words "upon this day six months,"—(*Mr. Baumann,*)—instead thereof.

Mr. Baumann

Question proposed, "That the word 'now' stand part of the Question."

*(3.20.) Sir J. LUBBOCK (University of London): The hon. Member has, I think, almost exhausted the vocabulary of abuse, and I must say that I feel somewhat indignant with being charged, in conjunction with my Colleagues on the London County Council, with being guilty of an attempt to smuggle a Bill through this House, in a manner described by the hon. Member as exhibiting low cunning.

*Mr. BAUMANN: I beg the right hon. Gentleman's pardon. I excepted in the most express way the right hon. Gentleman and the other Members whose names are on the back of the Bill.

*Sir J. LUBBOCK: I cannot accept the apology of the hon. Member. My Colleagues and I are responsible to the House, and I think I shall be able in a few words to show the House that the Bill is not open to the accusations which the hon. Member has thought fit to make against it. Indeed, I should feel more indignant than I do if I could believe that the hon. Gentleman really himself believed the charges he has made. What are the grave matters which the hon. Member considers we have brought forward in this Bill, and which he says we have attempted to smuggle through the House? The first is that the London County Council are to have the power of administering oaths. With regard to the administration of oaths, I quite admit that it is not usual for an Administrative Body to have the power of administering oaths; but the London County Council think it is desirable to have that power, because the duty of licensing has been transferred to the Council, and in all other cases Parliament has considered that Licensing Bodies ought to have the power of administering oaths, and no reason has been shown why London should be an exception; but if this House thinks that as regards Londoners it is sufficient to believe the men who apply for licences on their simple word rather than upon the administration of an oath I have nothing more to say. Passing to the second point, that the exemption to serve on juries has also been conferred on other Municipal Bodies,

whose duties are by no means so arduous as those of the London County Council. We only ask an exemption which is in force in all other large cities. Then, as regards the third objection, I believe the House would wish that power should be given to prevent buildings being raised to a greater height than 70 feet. Hon. Members must have observed the tendency in London to erect buildings of a gigantic height, and I think the majority of the House will consider that it is desirable to compel them to be within a moderate height. Then, again, as to the mode of making payments, I am sorry that my right hon. Friend the President of the Local Government Board has put on the Paper a Motion to exclude that clause of the Bill. It was drawn up by Lord Lingen, who is, of course, one of the very highest authorities in the whole country on such a subject. Practically the present system is found to be almost unworkable. It leads to most inconvenient and unnecessary delays. There may be a little matter affecting a building, which nobody objects to, and against which there is no opposition. As the law stands a notice has first of all to be given, then it has to go before the Building Committee; there is then another notice required, and it has to go before the Finance Committee, then it is necessary to give a third notice in order to bring it before the Council. If this clause is to be excluded, I hope the people of London will feel that if are there unnecessary delays, the London County Council have done their best to prevent them. The only other objection raised by the hon. Member was to the clause which raises the important question concerning the law of rating, on which much may be said; it is drawn to carry out the recommendations of the Committee of this House which sat in 1866, but if the right hon. Gentleman cannot accept that provision, it will not be pressed. I hope that the House will assent to the Second Reading of the Bill. I have dwelt upon the provisions which the hon. Member opposite has declared to be of a wicked and abominable character, but I hope the House will feel that there is no justification whatever for the severe manner in which he has thought fit to condemn the conduct of the London County Council.

*(3.25.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The right hon. Gentleman who has just spoken has dealt with the Bill as if the whole of the proposals in it were in themselves perfectly unobjectionable, and were in some cases necessary to the proper performance of the functions of the London County Council. But there are two questions to be considered: first of all whether the proposals in the Bill are themselves not open to grave objection, and secondly, whether, even if they are not, they ought to be dealt with in a private Bill. I gather that my hon. Friend behind me feels strongly about the latter of these two points. For my own part, I think that the House, as a whole, has a strong objection to important alterations in the general law being introduced in a private Bill. The main object of the Bill is to acquire Brockwell Park, and the question is whether such a measure should be made the medium of carrying out other improvements. I must say that I entirely agree with my hon. Friend in that view. I do not go so far as to say that no provision of the law should ever be altered in a private Bill, but I think it is a great mistake to introduce provisions into a private Bill largely altering the general law. If this were done, not only would the time of the House be largely taken up with discussion on such points, but there would also be a largely increased amount of labour in searching through private Bills to find out what the law was on certain points. If this were done in the case of the London County Council there is nothing to prevent every County Council in the kingdom from introducing alterations, so that the law might materially differ in every county. One point is the question of exemption from service on juries. I am not at all sure that I ought not to have included that among the clauses which I propose to ask the House to instruct the Committee to omit, but I have regarded it more as an application of a law that is universal throughout the country than an alteration of the general law, and I cannot but recognise that London ought to have the benefit of what other municipalities have, although perhaps I weaken my argument by allowing that

clause to remain. Yet I think that in this respect there is much to be said for it. Then, again, there is a clause inserted which amends the Local Government Act with regard to the chairmanship and vice-chairmanship of the Council. Of course, if the Bill contained any proposal that either of these gentlemen should take an active part, such as voting, I should strongly object; but as far as I understand there is no intention of altering the Local Government Act in that respect. As it is a matter almost personal to my right hon. Friend and Lord Rosebery, I do not feel myself justified in pressing my objection. Then comes the question of oaths. The proposal in the Bill distinctly is to repeal that section of the Local Government Act which expressly states that there shall be no transfer of power to administer oaths.

*Sir J. LUBBOCK: Only so far as licensing is concerned.

*Mr. RITCHIE: Under the Act there is no transfer of power to the Council enabling them to administer an oath. It is true that the Council can administer an oath to the coroner when he is swearing to the correctness of his accounts, but that is a totally different thing to what is proposed in the Bill, which is nothing more nor less than to convert an administrative into a judicial body? It gives them the power of examining witnesses on oath. The right hon. Gentleman said that the bodies which have hitherto exercised these duties have had the power to administer an oath. That is true, but they were judicial and not administrative bodies. Of course, the right hon. Gentleman may say that it would facilitate the duties of the London County Council if they had the power to administer an oath. But if that be so let a Public Bill dealing with the subject be brought forward. It may very well be that the Council might propose to administer an oath when a magistrate was present, but this general power, I think, is objectionable in an administrative body. At all events, it is a very large and important question, dealing with an important principle, which certainly ought not to be introduced in a Private Bill. Then comes the question of finance. I have myself told Lord Rosebery that I should be very glad if opportunity arose for dealing with that question. We shall have to deal with the whole question of London finance this year; we are almost under a pledge to the House to do something to put an end to the Annual Money Bills which used to be introduced on behalf of the Metropolitan Board of Works. That is altogether an unsatisfactory system of dealing with the finance of the London County Council, and the Government are prepared to introduce a Bill putting the finance of the Council on a different footing, which would very likely put some kind of relaxation in the conduct of the finance of the London County Council. But I cannot hold out hopes that I shall deal with them in anything like the drastic manner proposed in this Bill, which practically places an unlimited amount in the hands of the Chairman, Deputy Chairman, or Vice Chairman, and an officer of the London County Council, in the interval between two meetings, which in the summer vacation would mean a long interval. This clause gives power to any one of these gentlemen, along with the Comptroller of the London County Council, to spend an unlimited sum of money without any order from the Council. Those who know the procedure in municipal Corporations know that no such power is possessed by them, and there are safeguards which prevent anything like what is now proposed from occurring. I understand, however, that my right hon. Friend does not propose to move this clause. Another important question is that of the computation of time. If any inconvenience is felt it must be experienced throughout the whole country, but I have heard no such complaint. If there is any such inconvenience I do not see why it should not be dealt with as regards the whole country, and not with reference to London only. With regard to the question of the reduction of a quorum from five to four, here again I have not heard of the London County Council suffering the smallest inconvenience, or that there is any inconvenience felt throughout the country. I would remind the right hon. Gentleman that there are many Town Councils which, though not approaching the size of the London Council, are yet very large; so I would say again that if there is any grievance we should proceed to alter the general law, so that everybody might participate

in the benefit. Then comes a very important and astonishing proposal. By the Municipal Corporations Act three clear days' notice must be given of a meeting, and of the business to be done, so that all the members may be informed in due time as to the business to be transacted. But this Bill proposes to reduce the time of notice to 24 hours. I would ask the House whether, if there is one Council where more notice should be given, it is not the London County Council, inasmuch as large and important questions are constantly arising to be dealt with by it, and I would be the last to consent to any modification of the time of notice to be given. But the Bill goes much further than that; it proposes that at any meeting, without notice being given, the Council may, by a majority of two-thirds of those present, take up and dispose of any important matter. I cannot think that the House would consent to any such proposal as that. Section 75, again, contains one of the most astonishing proposals I have ever seen in a Private Bill, or in any other. It proposes that all contracts between individuals with regard to the payment of rates are to be subject to any future legislation. That is to say, that in the case of contracts for leases in which one party agreed to pay the rates, the contract is to be binding on the landlord, but the payment of rates is not to be binding on the tenant. Can any proposal be more unfair or more ridiculous than to insert in a Bill of this kind a clause with such an effect, sandwiched in between one clause dealing with bye-laws and another dealing with trespassers in sewers? The noble Lord who presides over the London County Council has accused me of pedantry because I cannot agree to all these changes. The House will judge of what kind of pedantry I have been guilty in not consenting to give these powers to the London County Council. The statement issued by the London County Council with reference to this Bill contained a misrepresentation of facts with regard to the Local Government Board having refused assistance to the London County Council. That statement is of a piece with Lord Rosebery's "pedantry" speech. The application to the Local Government Board asked them to set aside all the rules and legal principles by which they are governed, and the Local Government Board replied that they had no power to do anything of the kind. I do not think the House will be of opinion that we have been guilty of pedantry in not sanctioning the powers asked for.

*(3.35.) MR. LAWSON (St. Pancras, W.): Whatever there may be in the objection of the right hon. Gentleman, I am quite sure the House will have appreciated the difference in the tone of his speech, from the very abusive, exaggerated, and unnecessary language of the hon. Member for Peckham (Mr. Baumann). The House will recognise that the Council have had a work of vast magnitude to accomplish, and have approached that work with a sincere desire to solve difficulties in local administration such as have faced no other newly created Governing Body. The right hon. Gentleman appears to me to be a little too thin-skinned, in regard to what he imagines to be an interference with his handiwork as contained in the Local Government Act of 1888. There is no intention to alter the general law. The Council merely desire to suit the application of the general law in the case of London to the special local circumstances and necessities of their position. The right hon. Gentleman knows perfectly well, as a matter of fact, that the general law has been altered in favour of nearly all the great municipalities of the country. It has been altered in Birmingham, in Manchester, in Liverpool, and none of the great towns now work under the form of procedure prescribed by the Municipal Corporations Act. Only last Session a Bill of this nature was passed at the instance of the right hon. Gentleman himself, and this year his private secretary has introduced another Bill to incorporate in a public Statute certain provisions of sanitary law already applied to particular districts.

*MR. RITCHIE: By a Public Bill.

*MR. LAWSON: Yes, but introduced in Private Bills adapted to special cases. The right hon. Gentleman says that the Council are striving to obtain judicial powers. Why should they not have judicial powers if they have judicial duties to perform? The licensing work of the Council is heavy and difficult; yet they are bound to accept mere assertion in cases where magistrates performing similar duties

had the power of taking evidence upon oath, and of sifting that evidence. It is whispered that the right hon. Gentleman intends to bring in a general Bill dealing with all the County Councils. This Bill deals only with the London County Council, who seek to obtain the powers which those whom they have succeeded did possess.

*MR. RITCHIE: I have not the slightest intention of doing anything of the kind.

*MR. LAWSON: Then I am sorry that the right hon. Gentleman is not going to remove some of the anomalies of the Act of 1888. With regard to the financial propositions contained in this Bill, I believe they have been adopted on the advice of Lord Lingen, who for years was head of the Treasury, and has had immense experience in connection with financial questions. It is only an endeavour to clear away some of the difficulties and anomalies which have been created by putting London on all fours with all the rest of the counties. I hope that the right hon. Baronet (Sir J. Lubbock) will, in any case, take a Division.

*MR. HOWARD VINCENT (Sheffield Central): I rise to express a hope that the hon. Member for Peckham will withdraw the Amendment. I quite feel with the President of the Local Government Board that there are some clauses in the Bill, to which exception can be justly taken, and which had better not have been incorporated, but they may be considered in Committee, and improved or expunged. The Bill is one which will confer benefit in some quarters of the Metropolis, and I hope my hon. Friend will not consider it necessary to press the Amendment to a Division.

*(3.40.) MR. BARTLEY (Islington, N.): I regret that the Amendment should have been introduced in a somewhat intemperate manner, because the case against a Bill so bad will not be strengthened by the use of hard words. I agree with the hon. Member for Peckham that the Bill as it has been brought in is a most objectionable one in various ways. It deals with half-a-dozen things, some of which I agree with, but it deals also with other large Constitutional questions which ought to be dealt with by themselves in separate Bills. It even has a little fling at constables, for I see that the Council wish to have the power of swearing in its own servants as constables, and it proposes also to deal with the question of military drill—a matter which certainly might have been left alone. Then, again, Clause 73, which establishes inquiries as to water supply and markets, is a very important one, and it authorises an expenditure of £5,000 in such inquiries. We know that is the beginning of a scheme which the Council have at heart, to supply London with water [*Opposition cries of* "Hear, hear."] Hon. Members on the other side of the House always cheer a proposal of that nature, but it is a remarkable thing that some 10 years ago they did not cheer it when there was a practical way of carrying such a scheme into effect at much less cost than is now possible. What I say is that this question of water supply ought to be discussed *per se*, and not dealt with by a side wind in a Bill of this sort. Another provision of the Bill is to enable the Council to do anything however startling without having given any previous notice of their intention to members of the Council on the Agenda Paper. That is a power which, I think, the ratepayers ought to resist to the utmost. Then, again, the question of the height of buildings in London is a very important one. I believe that in future it may be necessary to erect buildings in London higher than in the past, and that it would be unwise to say that they are to stop at 70 feet. Another provision is that no building shall be erected at a less distance than 20 feet from the centre of the roadway; and the rating clause is also most material. The measure also raises questions as to the Thames Conservancy and other large questions, which ought to be considered as a whole by the Government of the day, and not in this measure. The hon. Member for St. Pancras (Mr. Lawson) said that the financial arrangements of the Bill have been under the charge of Lord Lingen. No doubt Lord Lingen is an excellent financier, but I would not trust him in every possible way in drafting a measure of this kind. I do not look upon him as an immaculate financier; and if he had happened to be a Tory instead of a Radical, I do not think we should hear much of his praise from the other side. I think the Bill ought to be rejected in order to teach the London County Council the lesson

that a Private Bill should deal with a specific subject, and not mix up a large number of great Constitutional questions in the same measure.

*(4.0.) Mr. H. H. FOWLER (Wolverhampton, E.): The hon. Member who has just sat down recommends that in regard to legislation for the County Council of London, we should adopt a course dissimilar to that adopted towards other County Councils and Municipalities. Is the hon. Member aware that in regard to Liverpool, Manchester, Birmingham, Leeds, and other large provincial towns, omnibus Bills have been brought in in order to meet the requirements of the great Municipalities from time to time upon a vast variety of questions which, from want of time, and sometimes owing to the expense involved, would not be dealt with at all if it were necessary to introduce a Bill each year dealing with each separate matter? I am glad that the hon. Gentleman who has just sat down has somewhat repudiated the extreme language used by the hon. Member for Peckham with reference to the Council. I think it very unwise for the House to assume an attitude of antagonism towards a body which is representative of the great City of London. I think the House ought rather to raise the dignity and increase the power and enlarge the efficiency of the County Council. There has been no greater public service which the Member for West Birmingham (Mr. Chamberlain) has ever rendered to the country than in raising the whole tone of municipal life in that town, and I now ask the Government to treat the London County Council in precisely the same way as they have treated Birmingham, Manchester, Liverpool, and Leeds. Eight years ago we consolidated the law relating to municipal Corporations. I was a young Member of the House at the time, and I ventured to suggest that amendment should take place co-temporaneously with consolidation. I was told then that it was unwise ever to attempt to combine amendment with consolidation. It was admitted that our Municipal Law was antiquated and unworkable, and that it ought to be altered. We were promised a measure of Reform, but, although we have now reached the year 1890, that measure has not yet come. Scores of Bills have been brought in by municipalities, each instituting a separate Code, and they have all, according to the practice of the House, been referred to a Special Committee. I maintain that there has been an admission that the general law requires to be altered in a great variety of instances in order that we may carry on the work of our municipal life. I can quite understand the position taken by the President of the Local Government Board. There is a clear and divided line between administrative matters and questions affecting great changes in the principle of the general law. In some of the remarks of the right hon. Gentleman I fully agree, especially when he said that there are further changes in the Municipal Law which ought to be carried out by general legislation. In regard to the financial question I think the mode in which the Local Government Board proposes to meet it is fair and just on the whole. I was sorry to hear the hon. Member for Islington (Mr. Bartley) speak disrespectfully of Lord Lingen.

*MR. BARTLEY: I did not speak disrespectfully of Lord Lingen. I said I knew him too well to accept him as a financial authority.

*MR. H. H. FOWLER: The hon. Member said that Lord Lingen's authority ought not to be accepted in all parts of the House.

*MR. BARTLEY: Certainly not.

*MR. H. H. FOWLER: I regard Lord Lingen as a high financial authority, and anything that has received his approval is certainly worthy of consideration. To reject the Bill before the House would be to treat London very unjustly, and as we have never treated any other municipality. The Bill should be read a second time and referred to a Select Committee, and disputed points, if any remained, might be discussed afterwards on the Third Reading.

(4.10.) MR. BRISTOWE (Lambeth, Norwood): I only rise for the purpose of joining in the appeal which has been made to my hon. Friend the Member for Peckham not to press the Amendment. I believe that most of the difficulties which have been referred to in connection with this Bill can be dealt with in Committee, and I am sure that neither he nor any other Member on this side of the House would like to create such an irreparable amount of mischief as would

be brought about by defeating the measure.

*Mr. BAUMANN: I made the Motion for the rejection of the Bill on account of the provoking manner in which my very mild remarks were received on the other side of the House. As the Bill is proposed to be emasculated by the Motion of the President of the Local Government Board, I believe that it will be rendered much less objectionable, and, therefore, if the House will allow me, I will withdraw the Amendment.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a Second time, and committed.

Motion made, and Question proposed, "That it be an Instruction to the Committee to omit Clauses 55, 56, 57, 58, and 75 from the Bill."—(*Mr. Ritchie*).

(4.12.) Mr. COURTNEY (Cornwall, Bodmin): I cannot go entirely with the President of the Local Government Board when he proposes the removal of all these clauses from the measure. I agree with him in regard to some of them, but not with regard to all. Clause 55, which would empower the County Council to administer oaths should, I think, be struck out, for it would introduce a variation from the general law, and a change of that kind ought to be reserved for introduction in a Public Bill. It would place the London County Council in the anomalous position of undertaking what are really judicial functions, and the same thing would apply to all County Councils which possess licensing powers. I therefore agree with my right hon. Friend that Clause 55 should be struck out of the Bill, I am further of opinion that Clause 61 should be omitted from the measure. It proposes to exempt County Councillors from the jury service, and is a clause which would more fitly find a place in a Public Bill. As to Clause 75, I understand that the Council have consented to omit it, and therefore I will say nothing further about it. But I think that Clauses 56, 57, and 58 ought to be allowed to go before the Committee for consideration. One of these clauses deals with the question of the length of the notice that should be given of the agenda. Having regard to the frequent meetings of the London Council it is imposing upon that body an onerous obligation to require that three days' notice of the agenda should be given. In the House of Commons only 24 hours' notice is required, and in a city like London the proceedings of any public body are always watched with vigilance by the Press and by the electors. I therefore think that there is a case for allowing the Council to go before a Select Committee and make out a case for exemption. The same remark will apply to the clause providing for a petty cash fund, for it is impossible to conceive that the County Council can go on without a petty cash fund, out of which to make payments, to be ratified at subsequent meetings. The language of the clause is, perhaps, too wide, but that is a matter that could very fairly be considered by a Committee upstairs. The clause relating to the question of urgency also appears to me to be worthy of consideration. I therefore move to omit from the Motion of the President of the Local Government Board Clauses 56, 57, and 58, and to insert in it Clause 61.

Amendment proposed, to leave out the numbers "56, 57, 58."—(*Mr. Courtney.*)

Question proposed, "That the numbers '56, 57, 58' stand part of the Question."

*Mr. RITCHIE: The clause which the right hon. Gentleman proposes to insert is really more an application of the existing law than an alteration of the law. By the Jury Act members of Town Councils are exempt from service on a jury. It cannot be maintained that the work of a London Councillor is less arduous than that of a member of an ordinary Town Council. In London the meetings of the Council are more frequent than those of a Town Council; in fact, there are meetings almost every day. Clause 56 deals with the finances of the Council. I have already stated that I shall be quite prepared to consider the question of finance when the Government introduce their Bill dealing with the whole question. But I could not recommend the House to assent to such extraordinary propositions as are contained in the financial clauses of this Bill. The subject is one which might be dealt with in the London Financial Bill. I understand the right hon. Gentleman

who moved the Second Reading to say that the course which I have shadowed out is not unacceptable to the London Council. I am not in agreement with the right hon. Gentleman the Chairman of Ways and Means on the question of notice. I do not think the 24 hours' notice in this House affords a parallel to the County Council, as we meet every day in the House. But I admit that the question requires consideration. It would, however, best be dealt with in a Bill affecting not London only, but all the large Corporations in the country. On these grounds I feel that I must adhere to the Amendment which I have proposed.

*SIR J. LUBBOCK: As the right hon. Gentleman has promised that he will himself bring forward a measure to carry out our suggestions with reference to Clause 56, I would suggest that Clauses 57 and 58 should be omitted and 56 retained. The Council pay a great deal of money in wages, and it is necessary that some clause of this kind should be inserted in order to enable us to carry on the business, and prevent those whom we employ from suffering during a period of holiday. The Chairman of Committees has given good reasons why Clauses 57 and 58 should go to a Committee upstairs. I hope my right hon. Friend opposite will accept this compromise.

*(4.23.) MR. CAUSTON (Southwark, W.): After the speech of my right hon. Friend (Sir J. Lubbock), I hope the House will agree to the suggestion I have to make, namely, that the Bill should be allowed to go to the Committee upstairs without any alteration at all. To discuss the clauses here is a most inconvenient course, and the three right hon. Gentlemen who have addressed the House have all taken different views of the subject. If we are to discuss the details of the Bill here, I do not see why we should not take the same course in regard to all other Private Bills. I trust that both the Motion and the Amendment will be withdrawn.

*(4.25.) MR. BARTLEY: I hope the President of the Local Government Board will not give way. I fully agree with the hon. Member who has just spoken that the difficulty has been brought about by the way the Bill has been brought in.

*MR. CAUSTON: I did not say so.

*MR. BARTLEY: There are a number of questions raised in the Bill which ought not to be in it. It is called an Omnibus Bill, but that title ought not to be applied to a measure which raises a number of difficult principles of great Constitutional importance, and does not merely deal with questions of detail.

(4.27.) MR. R. G. WEBSTER (St. Pancras, E.): I have no desire to say a word against the London County Council. No one knows better than I do the difficult and arduous task they have to perform; but at the same time I agree with what has fallen from the President of the Local Government Board, that principles of this kind ought to be dealt with by a public rather than by a private Bill. It would almost appear that the Council have put in these clauses at the suggestion of different members of their own body, and have made a sort of *olla podrida* of the Bill, instead of waiting until these important questions affecting the general law should be dealt with in a public measure.

(4.30.) The House divided:—Ayes 167; Noes 137.—(Div. List, No. 30.)

(4.40.) Main Question put.

The House divided:—Ayes 185; Noes 133.—(Div. List, No. 31.)

Ordered, That it be an Instruction to the Committee to omit Clauses 55, 56, 57, 58, and 75 from the Bill.

LONDON STREET (STRAND IMPROVEMENT) BILL.—(*By Order.*)

Order for Second Reading read.

*(4.50.) SIR J. LUBBOCK (London University): The object of the Bill is to enable the London County Council to widen the Strand between the Churches of St. Mary-le-Strand and St. Clement Danes. It will be generally admitted that this would be a great improvement, and I need not occupy the time of the House by dwelling on this point. The Second Reading has, however, been objected to on account of the 28th clause, which is known as the "betterment" clause, and the objection is based on two grounds. First, that such a proposal ought to be made in a Private Bill; and, secondly, that it is unjustifiable in itself. As regards the first point, I would only

observe that there are many precedents for such a course. The Infectious Diseases Notification Act of last year was founded on clauses originally inserted in a Private Bill affecting a single borough. The same might be said with reference to many of the provisions of the Lands Clauses Consolidation Act, and there are many instances in which provisions introduced in the first place in Private Bills, and only affecting a particular district have been found to work well, and have afterwards been extended to the whole country with great advantage. The most formidable objection, however, is the second. We are told that the principle of betterment is wrong, unjust, and impracticable. Now, let the House for a moment contrast it with the old system. Under previous Bills, local improvements have been paid for, half by the Metropolitan Board and half by the district. The result was that those in the locality had to pay both the general rate and also the special local rate, although not in any way benefited by the improvement. In the present case the Strand district comprises an outlying area around Soho Square at some distance from the Strand. The ratepayers there would, over and above their contribution to the general Metropolitan rate, be again rated to carry out an improvement in which they are not specially interested, and by which they would not be benefited more than many other districts which would not have so to contribute. The London County Council propose, on the contrary, that those only shall be called on for any special contribution who are benefited, and only in the proportion in which they are benefited. Surely the plan in the present Bill is fairer and juster than the old one. The Royal Commission on the Housing of the Working Classes have an important paragraph in their Report bearing upon this question. They say the principle which is known by the name of "betterment"

> "Is the principle that rates should be levied in a higher measure upon the property which derives a distinct and direct advantage from an improvement, instead of upon the community generally, who have only the advantage of the general amelioration in the health of the district. American legislation has adopted the principle that where public improvements are effected by the Local Authority they ought to be able to bring, in aid of the cost of the improvement, any additional value conferred on the adjoining property by reason of the improvement."

We have evidence on this point given before the Commission, amongst others by Mr. Forwood, ex-Mayor of Liverpool, and now Secretary to the Admiralty, who says, speaking of the "betterment" system, that it "works admirably in America." I may also quote the authority of Sir Hugh Owen, Permanent Secretary to the Local Government Board. He was asked "Do you approve of that principle?" His answer is "Yes; I think it is quite equitable." So we have some of the highest authorities in the country approving of the principle, which is found to work well in America. The principle is by no means novel as applied to London improvements, for, as Mr. Vicary Gibbs has pointed out in the *Times*, we find it recognised in improvements made in King Street in the City as far back as the time of Charles II. The Commissioners on the Housing of the Working Classes say, moreover—

> "The principle has, to a small extent, been adopted in the Acts of 1879 and of 1882."

Thus, I submit, it is shown that the principle is not altogether new to this country, and has been found to work well. I will go further, and say that some such action had been almost forced upon the London County Council by a recent decision in the House of Lords. Not long ago the Board of Works built a new bridge at Putney, a short distance higher up the river than the old bridge, and a publican who had a house in the main road leading to the old bridge, but which ceased to be the road to the bridge, claimed and obtained from a jury £1,031 as compensation, solely on the ground of diversion of traffic. In giving judgment in the House of Lords, Lord Herschell stated—

> "The only question that the House had jurisdiction in that particular case to entertain was whether there was jurisdiction in the Sheriff and jury to entertain the claim to compensation and to award some damages in respect of it. If there were such jurisdiction, and if any evidence was before the jury to warrant any damages, then in such an action as that the plaintiff must recover, however excessive the amount of damages, however erroneous the law laid down to the jury, however wrong the principle which they adopted."

This, then, being by the highest authority declared to be the law, if any metropolitan improvements are to be made,

and if the London County Council are to be liable should the change lower the value of property, and yet are to derive no advantage when they raise it, the prospects for the rate-payers are very gloomy. The House of Lords has introduced the principle of "worsement," and "betterment" is surely the necessary correlative. If we are to pay when a property is damaged, and to have no claim when another is bettered, metropolitan improvements are rendered almost impossible. I quite admit that the question is surrounded with great difficulties, but I do not think it is right for me now to go into these at length. I have confined myself to showing very shortly the grounds upon which the London County Council have introduced the "betterment" principle into this Bill. I do not now ask the House to assent to any of the details, nor finally even to adopt the principle. I have attempted to show that it has not been adopted lightly or without consideration by the London County Council, and if the House will assent to the second reading we are quite willing that the Bill should then be referred to a Select Committee, and after that Committee has dealt with it the Bill will receive the final judgment of the House. The House will remember that the Committee of this House which sat in 1866 reported that the present incidence of the charge for permanent improvements was far from satisfactory. Yet nothing has been done to remedy this state of things. The subject is, no doubt, one of great difficulty. I do not say that the clauses may not be susceptible of improvement, but the present Bill is an honest endeavour to introduce a better and juster system, and I beg respectfully to commend it to the favourable consideration of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."

(4.58.) MR. AMBROSE (Middlesex, Harrow): Although I have given notice to move the rejection of the Bill, and am still strongly opposed to the principle contained in it, it is right that I should say it is not my intention to move the rejection of the Bill. I have not, however, changed my opinion; I take this course because it occurs to me, as it has occurred to others to whom I have mentioned the subject, that this would not be the right time to insist upon our objection. The object of the Bill is commendable in itself. It is for the improvement of the Strand, and I think most of us will agree that that is highly desirable. But taking into consideration that it is a Private Bill, asking for exceptional legislation upon exceptional grounds, I cannot but see that the House before dealing with it should have before it evidence of the exceptional grounds upon which this exceptional legislation is asked for. Therefore I think it is better to let the Bill go before a Committee to be thoroughly inquired into, and when it comes back to us we can discuss it and deal with it on its merits. True, we might deal with the clauses to which objection is taken by instruction to the Committee to eliminate such clauses, but I think it is better to submit them to inquiry. The right hon. Baronet who has moved the Second Reading of this Bill has passed without challenge some of the points which are open to grievous objection. The right hon. Baronet has said it is only right that property improved at the expense of the community should be paid for in proportion to the expense to the community; but he seems to forget that the improvement of a property has always been, so to speak, one of the assets of the property, and is so considered by every purchaser. Just as a property may be injured by the erection of shops or manufacturing works, so, on the other hand, we take into consideration the fact that property may be required for the widening and improvement of the streets, by which the adjacent property may be materially enhanced in value. All these considerations are invariably taken into account in the sale and purchase of property. Speaking from my own experience in matters of compensation, there appear to be two points which are generally put forward by valuers by way of increasing the value of the property. First of all they take the present value of the land and buildings, as ascertainable by the market rates at the present moment, and this being done, they proceed to add an item which they describe as the prospective value; and I have known cases in which this item of value has been dealt with by the

valuers on both sides and by the arbitrator on the allegation of excessive charge. After all, the prospective value of a property is only a part of the present value, in the same way as the liability to injury by new works forms a necessary consideration. I trust, therefore, that I shall not be misunderstood in the course I am taking when I say that having, in concert with other Members, given notice that I should move the rejection of the Bill, I do not intend to persist in that course at the present stage. This is not because we do not intend to oppose the measure, but because we are not unwilling to have the Bill read a second time, in order that there may be a thorough inquiry into the facts, and that a Vote given in favour of the Second Reading may not be misconstrued and used in Committee as a general approval of the measure. We think it better to fight the Bill on the facts being ascertained than to contest it on an abstract question. Under these circumstances I shall not move the rejection of the measure.

(5.5.) MR. R. G. WEBSTER: I quite agree with those who think that in the main this Bill is a good Bill—that is to say, I think it desirable that sooner or later the portion of the Strand to which it relates must be altered and improved, but the clause to which I object most strongly, and which I intend to ask permission to move an Instruction, in order that the Committee may strike it out of the Bill, is Clause 28. That clause deals, as has been pointed out by the right hon. Baronet opposite (Sir John Lubbock), with the principle described as betterment. The hon. Baronet and others who support the Bill seem to think that in no shape or form can the London County Council injure property with which it may deal. They seem to believe that whatever they do in any part of London must be for the good of the district. But I will put this case. Suppose a man had property both on the south and the north sides of the Strand, near where a road is run which causes a diversion of the traffic, he may lose £20 a year in rental on the one side, while, on the other, he might have to pay on the principle of betterment a similar sum back to the ratepayers on account of improvements effected on the other side. The Bill also provides that the value of the property taken is not to be assessed by a jury, as in all other cases, but by an arbitrator, and in one of the sub-sections the County Council reserve the right of re-considering the decisions of the arbitrator, while the individual whose property is taken is to have no such power. Moreover, the clause decides for all time what is to be the value of the property on the betterment principle. But is it not in the knowledge of the House that property in London frequently is seriously diminished in value by its desertion as a fashionable quarter. Supposing that 100 years ago a street was made by some local body near some fashionable square and had improved the value of the property, and that that quarter had since ceased to be fashionable, the present owners, taking into consideration the then value of the property, would really have been mulcted of a heavy amount, for which they would receive no consideration. This Bill, in my opinion, affords a proof that the County Council are a body of gentlemen who, having apparently some ideas respecting political matters, are determined to put them forward in a manner injurious to the interests of the ratepayers. I would, therefore, move that this Clause 28——

*MR. SPEAKER: I would point out that the hon. Member cannot move an Instruction without notice.

*MR. R. G. WEBSTER: Very well; I shall reserve to myself the right on the Report stage to move that Clause 28 be struck out if it still remains in the Bill after coming from the Committee.

(5.10.) MR. CREMER (Haggerston): The hon. Member for the Harrow Divison of Middlesex (Mr. Ambrose) has contended that there should be exceptional reasons for exceptional legislation. I fully admit that contention, and I do not think it would be difficult to prove that in this case there are exceptional reasons for the exceptional legislation proposed. I would, therefore, direct the attention of the House to what I conceive to be the best illustration afforded us of the necessity for the principle of betterment, which has hitherto come under my notice. Not many years ago that portion of London which runs along the neighbourhood of the Thames Embankment, was a filthy reeking mudbank, and the property abutting upon it was, compara-

tively speaking, valueless, so that on account of its unhealthiness few people cared to live in its neighbourhood. This Embankment was constructed by the ratepayers, at a cost, if I remember rightly, of nearly a million of money; that money was of course found by the Metropolitan ratepayers. Now, if any hon. Member will walk from this House by Charing Cross, the Strand, and Fleet Street to Bridge Street, Blackfriars, he will notice the effect the Embankment has had in improving the property in its neighbourhood. I can assert, from my own personal knowledge, having had an office within that area for 17 years, that the rental value of the property comprised in that district has been increased by from 25 to as much as 60 per cent. solely in consequence of the Thames Embankment. This fact alone is, I think, sufficient to prove that there are exceptional reasons for the exceptional principle contained in this Bill, because if the County Council had been in existence when the Embankment was made, and this principle had been acted upon, the result would have been that the unearned increment which has taken place during the period I have refered to would have been taken into account, and the debt which has hung so heavily round the necks of the Metropolitan ratepayers in consequence of the construction of the Embankment would at this moment have been very nearly wiped out. I have never been able to understand why the landlords or the leaseholders should be permitted to derive so enormous an advantage from the construction of that Embankment. That advantage really belongs to the Metropolis, and some authority in the Metropolis ought to have seen that it was appropriated for the benefit of the entire ratepaying community, so as to have enabled us to discharge our obligations. This fact, I think, is a sufficient answer to the statements of the hon. Member for the Harrow Division. My own rental has been about doubled during the period I have referred to, and I am satisfied from my acquaintance with what were the rents some 25 years ago that nearly every owner of property in the neighbourhood of the Thames Embankment has had the value of his property almost doubled in consequence of that improvement.

*(5.15.) MR. RITCHIE: Mr. Speaker, I will explain in a word or two the course which Her Majesty's Government recommend the House of Commons to adopt. But before I say those few words may I be permitted to refer to the discussion which took place on the last Bill? I used some words with reference to some of the provisions objected to, which seemed rather hard upon the County Council. I said I thought the statement which had been made was a monstrous myth. I do not wish to say one word in disrespect of the County Council or of the right hon. Gentleman (Sir John Lubbock). I did not know the statement emanated from the County Council. I withdraw the words I used, and say the statement in the Paper is incorrect. With reference to the Bill before the House the Government recommend the House to allow the Bill to be read a second time and refer it to a Hybrid Committee. The principle involved is, no doubt, of very great importance, but it is one not unknown to the law at the present time, although only to a very limited extent. The cost of removing obstructive dwellings may be placed either partially or entirely on the remaining houses in the particular areas which are benefited by the removal of the obstructive dwellings. That is a betterment that does not apply to the whole of a town like London, or even of a locality. However, so far as it goes, the principle of this Bill is recognised, although the Government consider that a sound principle may be so applied as to become oppressive and unjust. While not prepared to express approval of this Bill, they think it is advisable that the proposal should be examined and inquired into by a Select Committee, and, therefore, we propose to recommend the House to give assent to the Second Reading, and allow the Bill to go to a Hybrid Committee, so that the whole matter may be thoroughly threshed out and closely inquired into.

*(5.18.) MR. C. J. DARLING (Deptford): Mr. Speaker, I would not have troubled the House if my hon. Friend, who has a notice of Motion on the Paper for the rejection of the Bill, had not taken the opportunity of putting before the London constituencies the statement that he acted in this matter with the approval of a consider-

able number of the Metropolitan Members. If he had gone to a Division, my vote would have sufficed to show my view. One reason why I particularly approve of this Bill is Clause 28. The law allows persons to be compensated out of the public funds if their property is damaged by improvements. And it is only fair, if property is increased in value by improvements, that they should be paid for by the owners, and not entirely by other persons. And this clause provides that whatever improvement may be made, the burden that can be laid on the property shall never, in any event, exceed half of the capitalised value of the improvement. Though there may be faults in Clause 28—I have no doubt there are—the Committee will put them right. The principle of the clause is perfectly justifiable, and I will even go so far as to say that it is moderate. If it had been a question of passing the Bill without that clause, I really do not know that I should have thought of doing it. I am not particularly in favour of what are called improvements of the Metropolis. These improvements, for the sake of making wide thoroughfares, have swept from the centre of London houses where working people might dwell near their work, until the wonder has become, how on earth you are to house the poorer people of London. It is this pulling down of houses to broaden streets which has led to many of the difficulties which harass the working classes.

(5.23.) EARL COMPTON (Barnsley): Sir, it is the object of the London County Council that this matter should be thoroughly threshed out. I may inform the hon. Gentleman that this Bill would not have passed the Council without the limitation imposed by Clause 28. As far as I understand, the majority of the County Council are not inclined to enter into any very important schemes in London until the incidence of taxation is in some way altered, and until some change is made in the compensation to be paid. I do not think the statement should be passed that some of our streets do not require widening. I think the majority of Londoners are certainly of opinion that very decided improvements are required in the Metropolis, particularly in the poorer districts. But I believe the majority of Londoners also think—this is not a political question—that the time has come when the question of payment for improvements should be put on the shoulders of those who have hitherto escaped payment indirectly or altogether. That is a point which the London County Council are anxious to bring forward, and I am exceedingly glad that the matter is to be threshed out in Committee.

*(5.24.) MR. LAWSON: As the Government have agreed to the Second Reading of the Bill it is unnecessary to answer the arguments adduced. On the question of the constitution of the Committee, there are two notices down, one in the name of the hon. Member for Peckham and the other in the name of the hon. Member for Bethnal Green. I trust the regular course will be followed, and that the Committee which is to be appointed will consist of five Members nominated by the Committee of Selection and four Members by a majority of this House.

*MR. RITCHIE: The ordinary course is that five should be selected by this House and four by the Committee of Selection.

Question put, and agreed to.

Bill read a second time.

*(5.25.) MR. BAUMANN: I propose that five Members be nominated by a majority of the House and four Members by the Committee of Selection. I cannot accept the Amendment that stands in the name of the hon. Member for Bethnal Green. On a question of such importance as this I think it very desirable that the majority of the Committee should be nominated by the House.

Motion made, and Question proposed,

"That the Bill be committed to a Select Committee of nine Members, five to be nominated by the House and four by the Committee of Selection."—(*Mr. Baumann.*)

(5.26.) MR. PICKERSGILL (Bethnal Green): I quite agree with the reference of this Bill to a Hybrid Committee, though I have the strongest objection to the proposition of the constituent elements of that Committee. I object to the proposition as unfair, and I think hon. Members will see that as the House has allowed the Second Reading of this Bill to pass with very little discussion, the constitution of the Hybrid Committee

acquires additional importance. The nomination of five Members by the House in my opinion means nomination by the Government Whips and by the Opposition Whips respectively. In the present case its operation will be this: the Opposition Whips would nominate two Members, and the Government Whips, claiming their privilege, would nominate three hon. Members. I am sure I am only doing bare justice to the Government Whips when I say that they would take very great care—and from their point of view I could not blame them—to nominate Gentlemen who entertain prepossessions against what is new and contentious in this Bill. The result of the proposal of the hon. Member opposite would be that this Committee at the outset would be unfairly weighted against the proposal. I distinctly traverse the statement that the proposal of the hon. Member for Peckham is in accordance with the usual practice of the House. Last Session the Committees relating to the Waltham Abbey Powder Factory Bill and the City of London Police Bill consisted in both cases of an even number of Members nominated by the House and the odd Member nominated by the Committee of Selection. My hon. Friend (Mr. Lawson) reminds me that that course was taken in regard to the Committee upon the London Coal Dues. It is quite true in the cases I have mentioned the number was seven, and in this case it is nine; but that is a perfectly immaterial difference. The real point of analogy is that in those cases it was the even number which the House appointed, whereas it was left to the Committee of Selection to appoint the odd Member. For those reasons I think it is very desirable that the proposition of my hon. Friend should be reversed; therefore I beg to move—

"That the word 'four' be substituted for the word 'five,' and the word 'five' for the word 'four.'"

*MR. RITCHIE: I understand that the practice is for the odd number to be nominated by the House and the even number by the Committee of Selection, and that is exactly the course we propose to take on this occasion.

Amendment proposed, to leave out the word "Five," and insert the word "Four."—(*Mr. Pickersgill.*)

Question, "That the word 'Five' stand part of the Question," put, and agreed to.

Main Question put and agreed to.

Ordered, that the Bill be committed to a Select Committee of Nine Members, Five to be Nominated by the House and Four by the Committee of Selection.

Ordered, that the Committee have power to send for persons, papers and records.

Ordered, that Five be the quorum.

QUESTIONS.

H.M.S. *VICTORIA.*

(5.35.) MAJOR RASCH (Essex, S.E.): I beg to ask the First Lord of the Admiralty if it is a fact that one of the 110-ton guns of the *Victoria* was proved to be defective when shipped?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): One of the 110-ton guns originally placed on board the *Victoria* had developed defects at proof, and as it was contended by the makers that these were due to the unsuitability of the proof mounting at Woolwich, it was agreed that the gun should be further proved on the proper mounting on board the ship. The result of this further proof was that the gun was returned to the makers as not being a perfect weapon.

EDUCATION OF THE BLIND AND DEAF.

MR. WOODALL (Hanley): I beg to ask the Vice President of the Committee of Council on Education when the English and Scotch Bills for the education of the blind and deaf will be in the hands of Members?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The English Bill is now under the consideration of the Government, and it is hoped it will be possible to introduce it into the House of Lords shortly. My right hon. Friend the Lord Advocate gave a similar answer yesterday in regard to the Scotch Bill.

MR. WOODALL: I will now ask the Attorney General for Ireland when the Irish Bill for the education of the blind and deaf will be in the hands of Members?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The subject of the education of the blind and deaf is an important one, and has the careful attention of the Irish Government. I am, however, unable at present to state when it will be possible to propose legislation in the matter.

MR. WOODALL: Have not the Government practically decided to adopt the recommendations of the Committee?

MR. MADDEN: I am not in a position to make a definite statement at present.

FASTNET ROCK LIGHTHOUSE.

MR. GILHOOLY (Cork, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the condition of the lightkeepers on the Fastnet Rock; whether it is a fact that those men were left for days in peril of their lives owing to the vessel in attendance on the lighthouse being unseaworthy; whether the light keepers were signalling for aid during those days, and they were ultimately rescued from their perilous position by a local fishing vessel; and whether he will have a sworn inquiry instituted into the circumstances referred to?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Commissioners of Irish Lights inform me that they have inquired into the circumstances referred to in the hon. Member's question, with the following result:—(1) That it is not a fact that the keepers were left for days in peril of their lives owing to to the attending vessel being unseaworthy; (2) communication with the rock was cut off between January 10 and 24 through severity of weather, and during that period the keepers signalled that food would be required in a few days; (3) on January 24 the rock was communicated with by a local fishing vessel, but the attending boat also went to the rock on the same day. I have directed further inquiry to be made as to the system of provisioning the Irish lighthouses and the manner in which it was carried out in this case.

IRELAND—THE LAND PURCHASE ACT, 1881.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report in the *Belfast Northern Whig* of the 10th inst., of a meeting of farmers held at Upper Bellahill, near Carrickfergus; whether he is aware that these farmers purchased their holdings during 1883 and 1884, under the Land Purchase Act of 1881, and were obliged to pay over to the Land Commission one-fourth of the purchase-money; and whether, considering the complaints of these farmers, that they had purchased "too soon," and at extremely high prices, he will take into consideration their present difficulties, and the request of the meeting to have refunded to the farmers the one-fourth of the purchase-money paid to the Land Commission at the time of purchase?

MR. MACARTNEY (Antrim, S.): May I ask the right hon. Gentleman whether, in the event of his giving a favourable answer to the latter part of the hon. Gentleman's question, the Government will also consider the case of the landlords who purchased too early and at extremely high prices?

MR. MADDEN: I think my hon. Friend will see that the very interesting matter to which he has directed attention does not arise on the answer I am about to give. The purchases referred to in the question on the Paper were made under the Act of 1881, under which no more than three-fourths of the purchase-money can be advanced. There is no power to adopt the suggestion contained in the concluding paragraph of the question.

THE CASE OF CORNELIUS CONNOR.

DR. TANNER (Cork, Mid): I beg to ask the Attorney General for Ireland whether his attention has been called to the fact that a labouring man named Cornelius Connor, who was engaged in distributing leaflets relative to the strike at Messrs. Perrott's ironworks, was arrested by Constable Brennan in Hanover Street, Cork, on Monday, 3rd March, and was bound over to keep the peace by Mr. Gardiner, R.M.; whether it is a fact that Messrs. O'Sullivan, Secretary of the Labour Union, and Whelar, Secretary

to the strikers, distributed the same leaflets in the same place during the remainder of the evening in question without any interference from the police; and whether an inquiry will be made into the circumstances of the arrest and sentence on Connor?

MR. MADDEN: The Constabulary Authorities report that O'Connor was arrested for persisting in causing an obstruction in a public thoroughfare after being warned. He was brought before the Court which was then sitting, ordered to find bail, and having done so, was at once discharged. The other men referred to caused no obstruction and were not interfered with.

DR. TANNER: Was not O'Connor alone, and is it not true that he said nothing, and did nothing, beyond distributing the few leaflets in question? Also, is it not a fact that the other two men went and did what O'Connor had done in the same place, many times in the course of the same day?

MR. MADDEN: I gather that O'Connor was warned several times to desist from causing an obstruction in the public thoroughfare. He did not obey the warning, and was ordered to find bail.

DR. TANNER: Why, when policemen behave so outrageously are not their names and numbers given? Would the Government act in the same way in England in the case of a strike?

*MR. SPEAKER: Order, order!

THE STATUTE OF EDWARD III.

DR. TANNER had on the Paper the following Question:—To ask the Attorney General for Ireland whether his attention has been called to a letter, signed "James O'Lanerty, P.P., M.R.I.A.," on the Statute of Edward 3, which appeared in the *Belfast Morning News* of 7th instant?

MR. MADDEN: My attention has been called to the letter referred to ——

DR. TANNER (interrupting): I beg pardon. I told the clerks at the Table I wished to have this question expunged from the Paper; but, to my surprise, it appears here.

THE CANADIAN HOUSE OF COMMONS.

SIR J. COLOMB (Tower Hamlets, Bow): I beg to ask the Under Secretary of State for the Colonies whether the loyal Address to Her Majesty, unanimously adopted by the Dominion House of Commons, declaring the unswerving determination of the Canadian people to maintain the political connection between Canada and the rest of the British Empire, has been presented to Her Majesty; what reply has been graciously made by Her Majesty to the Address; and whether both the Address and the reply will be printed and circulated to Members?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Address has not yet been received. It would not be in accordance with the usual and Constitutional practice to present to the House of Commons here an Address to the Queen adopted by the House of Commons of another portion of the Empire. Loyal Addresses embodying similar sentiments are frequently received from the Colonial Parliaments, and Her Majesty's Government would exceed their functions if they were to call the attention of Parliament here to the proceedings of another British Parliament, unless under exceptional conditions such as this case happily does not present.

HOSPITAL DUES AT CONSTANTINOPLE.

COLONEL HILL (Bristol, S.) I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that, instead of the reduction in the Constantinople Hospital dues of one penny to one halfpenny per ton, as ordered on the 16th January, 1888, affording a relief to the shipping frequenting that port of 50 per cent., as was apparently intended, the relief has, in consequence of a change in the mode of collection, only amounted in some cases to 15 per cent.; and whether he will cause such instructions to be issued as will ensure the enjoyment of the full reduction?

*THE UNDER SECRETARY FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Representations have been received complaining that the reduction has not benefited the shipping to the extent anticipated. A Report has been called for from the Consul General at Constantinople, and the matter is being thoroughly investigated.

COPYRIGHT IN THE UNITED STATES.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether, having regard to the fact that a Copyright Bill is at present under consideration of the American Congress, Her Majesty's Government will endeavour to arrange, by friendly representations, international agreement, or otherwise, that the benefits of International copyright should be secured to British authors and publishers free from any conditions or restrictions that might seriously injure the printing trade in this country?

*SIR J. FERGUSSON: I am afraid that no representations in favour of an extension of the provisions of the Bill in question would be attended with any success.

RABBIT COURSING AT DOVER.

MR. BUCHANAN: I beg to ask the Minister for Agriculture whether he is aware that, at the rabbit coursing meeting held at the Big Meadow, near Dover, on Wednesday, 12th February, dogs were used unmuzzled, and were taken to and from that and other rabbit coursing meetings unmuzzled, notwithstanding the existence of the Muzzling Order in the County of Kent; and whether such dogs so used are held by the Board of Agriculture to come under the exception in the Order as "dogs used for sporting purposes?"

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): Will the right hon. Gentleman inform the House whether there has been a single case of rabies within 40 miles of Dover during the last two years?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I must ask the hon. Member to give notice of his question. With regard to the question on the Paper we have no information on the subject, and I have no knowledge of the facts referred to in the first part of the hon. Member's question. With regard to the second part, I apprehend that dogs used for coursing would be held to be "dogs used for sporting purposes" within the meaning of the Order.

MR. BUCHANAN: Does the right hon. Gentleman consider rabbit coursing to come under the description of sporting purposes?

*MR. CHAPLIN: I have tried a good many sports in the course of my career, but I do not remember to have ever tried rabbit coursing. In fact, I cannot claim to be an authority, nor am I competent to express an opinion with regard to a question on which the hon. Member is probably a better judge than myself.

SCOTCH LOCAL ELECTIONS.

MR. D. CRAWFORD (Lanark, N.E.): I beg to ask the Lord Advocate when the Bill for extending the Corrupt Practices Act to local elections in Scotland, promised at an early day, will be introduced; and whether the Second Reading will be taken before Easter, with the view of sending the Bill to a Grand Committee?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): This Bill is in a forward state of preparation, but I am unable at present to name a day for its introduction. I hope, however, to do so before long, but I do not think it probable that the Second Reading will be taken before Easter.

POOR RATES AND SCHOOL RATES.

MR. D. CRAWFORD; I beg to ask the Lord Advocate whether his attention has been called to the case of Mr. J. H. Smyth, of Partick, who, on the 6th instant, tendered payment of his poor rates at the office of the Parochial Board for the Govan Combination, but the collector refused to accept payment unless Mr. Smyth paid his school rates at the same time; whether such refusal was according to law, and whether, considering that payment of poor rates, but not payment of school rates, was a condition of the exercise of the Parliamentary Franchise, he will take any steps to prevent electors from being improperly disfranchised by the action of collectors?

*MR. J. P. B. ROBERTSON: I am informed that there was recently a case of the nature referred to by the hon. and learned Member, although there appears to be some doubt as to the name. The phraseology of Section 44 of the Education Act makes it somewhat doubtful whether it is not necessary to collect the two rates together. Personally, I think that, as the right to the Franchise depends on the payment of the one rate and

not of the other, a ratepayer may demand a separate receipt; but, in the absence of any legal decision on the point, I do not desire to speak too positively.

SWAZILAND.

MR. LABOUCHERE (Northampton): In the absence of my hon. Friend the Member for North-West Lanarkshire, I beg to ask the Under Secretary of State for the Colonies if he would object to lay upon the Table of the House the Instructions given to Sir Henry Loch for his interview with President Krüger and Mr. Rhodes at Blijnants Point on the Vaal River; if he knows and can say by whom Mr. Rhodes was accredited; if he will lay before the House any correspondence which has taken place between the Cape Government, the Orange Free State, the British South African Company, and the South African Republic, with reference to the construction of the railroad from Kimberley to Warrenton; whether it is true that President Krüger has expressed himself as favourable to the extension of the railroad from Bluemfrontein to Johannesberg; whether it is true that the natives and missionaries in Swaziland have repeatedly protested against being placed under the Government of the South African Republic, as have also the concessionaires of mining rights and the persons interested in the Sorowann Bay Railway; for what reason the benefits of a British Protectorate that have been extended to Makololo and Nyassaland are refused to Swaziland; and whether the House will be afforded an opportunity of discussing Sir Francis de Winton's recommendations respecting the fate of Swaziland before they are actually carried out?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Perhaps the hon. Member will allow me to answer him. I will reply to the questions categorically: (1) There are no Instructions which can be given to Parliament. We have only telegraphic communications on the subject of this meeting. (2) President Krüger suggested that Mr. Rhodes should be present. (3) Portions only have been received of this correspondence, which must be voluminous, and probably could not in great part be given to Parliament. (4) We have no information which can be added to the statement to that effect contained in the Press telegrams. (5) The natives have urged that the independence of Swaziland should be maintained, and many such protests as are referred to in this question have been made by white residents and others, but there has been "considerable difference of opinion on the subject among the whites." (6) It would be a breach of Article 12 of the Convention of 1884 to establish a British Protectorate in Swaziland without the consent of the South African Republic. (7) It has been repeatedly stated this Session that Her Majesty's Government cannot undertake to delay action until Sir F. de Winton's Report has been discussed. I do not know whether I may take this opportunity of making an appeal to the hon. Member for the Abercromby Division of Liverpool on this subject. He has a notice on the Paper this evening with reference to the future government of Swaziland. As Her Majesty's Government are still in communication with the Transvaal Government with a view to effect a settlement of this question, I venture to appeal to the hon. Member not to proceed with his Motion, as it would considerably embarrass Her Majesty's Government if any statement were made in this House with reference to the negotiations which are still proceeding. I am in hopes that the result of these negotiations will be one satisfactory to all parties, and at the present moment I think it would be most unwise to discuss the question.

MR. O. V. MORGAN (Battersea): When will the Report of Sir F. de Winton be in the hands of Members?

*MR. W. H. SMITH: I am unable to say when it will be possible to present the Report to the House; it is impossible to do so during the progress of negotiations.

ULSTER CANAL.

MR. P. O'BRIEN (Monaghan, N.): I beg to ask the Secretary to the Treasury whether he is aware that John Wall, who served under the Board of Works for 50 years as lock keeper on the Ulster Canal at Magherarney, Smithboro, County Monaghan, was dismissed by the Board of Works, without pension or other compensation, on the 31st of March, 1889, when the Ulster Canal was transferred to the Lagan Company; and

whether, in view of the assurance which was given on the part of the Government when the Ulster Canal and Tyrone Navigation Bill was in Committee, that any existing interests in respect of pensions should not be lost or injured by reason of the transfer of the Canal from the Government to the Lagan Company, he will see that this man receives compensation?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Particulars of the service of all men formerly employed by the Board of Works on the Ulster Canal and Tyrone Navigation are being submitted to the Treasury, in order that any gratuities to which the men are entitled may be settled and paid.

ALLEGED MISCARRIAGE OF JUSTICE.

MR. LABOUCHERE: In the absence of my hon. Friend the Member for North-West Lanark, I beg to ask the Secretary of State for the Home Department if he can now state what he intends doing in the case of the man convicted of robbery from a public house in the east of London about a month ago, which case he has had under his consideration for some time owing to the alleged perjury of some of the witnesses?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The case is under the consideration of the Home Office, and I have thought it advisable to ask the advice of one of Her Majesty's Judges. No decision has yet been arrived at.

METROPOLITAN IMPROVEMENTS.

MR. LABOUCHERE: I beg to ask the First Commissioner of Works whether it is a fact, as stated in the Minutes of the London County Council, that the Vestry of St. Margaret and St. John, Westminster, has been offered a strip of Kensington Gardens between Alexandra Gate and Queen's Gate; and whether he proposes to obtain the sanction of Parliament by an Act before giving effect to this offer?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I submitted some time ago a proposal to the Treasury for setting back the Alexandra Gates with a view to making egress and ingress at the point more easy; and at the same time I submitted an offer on the part of the Vestry of St. Margaret and St. John, Westminster, to widen the road between Alexandra Gate and Queen's Gate, where the traffic is at present inconveniently congested, if the Crown would consent to set back the railings of Kensington Gardens at that point some 15ft. The space so separated from the park would be used as a pathway, and would not, I believe, in any way detract from the enjoyment of the park by the public. The space is at present under grass, and enclosed by railings. I recommended that this offer should be accepted, as I believe it would greatly facilitate traffic, and be no injury to the park. The Treasury have not yet given their decision. If they sanction the plan, it is not considered that an Act of Parliament would be necessary to enable the arrangement to be carried into effect. There have been several precedents for proceeding in such cases without legislation—*e.g.*, the widening of Park Lane in 1866, the widening of Bayswater Road near the Marble Arch, 1869, and Hyde Park Corner improvement, 1882. In all these cases a Royal Warrant was considered sufficient.

MR. LABOUCHERE: Is the right hon. Gentleman not aware that, when a precisely similar proposal in regard to this very road was made, Mr. Ayrton, who then filled the office now held by the right hon. Gentleman, brought a Bill into the House of Commons and that Bill was thrown out by the House?

MR. PLUNKET: I do not think the case was exactly similar, but I will look into it.

ENTERIC FEVER IN INDIA.

MR. COBB (Rugby): I beg to ask the Under Secretary of State for India if he has any information to show whether the steadily increasing death-rate from enteric fever among European troops in India occurs in an exceptionally high ratio among those recently re-vaccinated; whether he is aware that there was a large increase in the number of cases of enteric fever when the children who were vaccinated in 1853, in consequence of the compulsory Vaccination Act of that year, began to come forward as recruits and be re-vaccinated in 1871 and the following years; and whether he will, as an experiment, arrange for the

abrogation for a suitable time of the present Regulation for the compulsory re-vaccination of recruits, which is now applicable even to those pitted with small-pox, so that a statistical test may be afforded as to whether those recruits who may elect not to be re-vaccinated thereby reduce their liability to enteric fever?

*SIR J. FERGUSSON: The Secretary of State has no information on the points raised in the first two paragraphs of the question, nor does he consider himself responsible for the medical treatment of recruits.

THE SOUTH AFRICA COMPANY.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether he has seen the following statement in the *Diamond Fields Advertiser*—

"The Queen's Envoys are conveying a letter from Her Majesty's Government to Lobengula announcing that Her Majesty has been graciously pleased to grant a Royal Charter for the development of the interior, and asking him to give it and the Rudd Concession, on which it is based, all the assistance in his power;"

whether this is correct; and, if so, should Lobengula withdraw or amend the Rudd Concession he is to be constrained into giving full effect to it, and restrained from giving any further concessions which may conflict with it; whether he is aware that Colonel Carrington is actually engaged in recruiting men for the service of the chartered company, and that the inducement held out to men to join this force is that, in addition to their pay, they will receive "claims" to dig for gold, or shares in companies established to dig for gold, and civil appointments in Matabeleland under the company; whether, in the event of this force coming into collision with Lobengula, any aid is expected from Her Majesty's Government to either party; whether he is aware that the one million sterling, which by the terms of the Royal Charter has to be subscribed within one year of its being granted, has already been syndicated, and that the right to apply for the £1 shares of the contemplated issue has been sold for £4 per share, thus showing that a present of the value of £3,000,000 has been made to the gentlemen to whom the Royal Charter has been granted; whether, in view of this fact, he will consider the expediency of throwing upon these gentlemen and their nominees a portion of the Imperial expenditure in South Africa; and whether he will in future put up to public competition all Royal Charters which it is intended to grant?

BARON H. DE WORMS: A letter has been sent to Lobengula as stated. I have repeatedly explained that the Rudd Concession is one only of numerous concessions which have been brought together under the Royal Charter. There is no reason to suppose that Lobengula would attempt to withdraw or amend any such concession, or to issue further concessions conflicting with it, and any declaration as to the steps to be taken in such case would be premature. Colonel Sir F. Carrington has been permitted to assist in organising the British South Africa Company's Police Force. Her Majesty's Government do not know whether the question correctly describes the inducements offered to recruits. Her Majesty's Government have been informed by telegraph that Lobengula has sanctioned the occupation of Mashonaland by the British South Africa Company. No collision with Lobengula is therefore anticipated, and Her Majesty's Government cannot state what they would do in the hypothetical case stated in the question. We have no knowledge of the details of the company's finance, except that some time ago £750,000 of the share capital had been subscribed. The company has already expended very large sums on railway and telegraph construction, and on police. This relief of Imperial expenditure has been among the principal reasons for granting the Charter. The reply to the last paragraph of the question is, certainly not.

DR. CLARK (Caithness): Is the right hon. Gentleman aware that Colonel

Carrington's advertisement is headed "O.H.M.S.," and is an officer on Her Majesty's Service to be allowed to recruit men for a filibustering company?

BARON H. DE WORMS: I cannot admit that it is a filibustering company. Colonel Carrington has been authorised by the Government to inspect the police about to be employed by the company, in order to maintain order in the new territory.

MR. LABOUCHERE: Is Colonel Carrington not paid for this service by the Government?

BARON H. DE WORMS: Certainly he is paid by the Government.

THE SEVERITY OF PRISON PUNISHMENT.

MR. PICKERSGILL (Bethnal Green): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the results of the punishment of two years' imprisonment, as shown in the last Report of the Prison Commissioners for England and Wales, from which it appeared that during the year ended March 31, 1889, four persons who were undergoing this punishment died in prison, two became insane during their imprisonment, and five had to be released before the expiration of their sentences on account of disease; and whether, having regard to these facts, he will take steps to stop or at least to modify this punishment, which was lately characterised by the Lord Chief Justice as one of "terrible severity?"

*MR. MATTHEWS: It is not correct to say that the cases referred to show the results of a long term of imprisonment. For instance, of the four deaths one was from typhoid fever, one from ulceration of the intestines another from strangulation; and of the two men who became insane, one had a weak mind on admission, and the other suffered from an old injury to the head, and their insanity was developed after 18 and 11 months' imprisonment. The hon. Member will find an interesting memorandum on this subject by Dr. Gover, printed as an appendix to the Report of the Directors of Convict Prisons for 1887-8, to which I beg to refer him. The punishment of two years' imprisonment is, no doubt, severe; but that is taken into account by Judges in awarding punishment, and a constant watch is kept on the health of prisoners by the medical officers, upon whose Report the Home Office frequently remits part of the imprisonment on medical grounds.

THE LONDON SCHOOL BOARD.

MR. S. BUXTON (Tower Hamlets, Poplar): I beg to ask the Attorney General whether there is any legal power to authorise the expenditure by the parishes of Fulham, Kensington, and others, in opposition to the London School Board, on questions under the Act incorporating them; and whether such expenditure by the parishes is, or not, *ultra vires?*

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I regret I cannot give an answer to the question. It could not possibly be answered without a statement of facts which the question does not contain, but if the hon. Member will communicate with me I will give what information I can.

THE DURATION OF THE SESSION.

MR. H. KNATCHBULL-HUGESSEN: I beg to ask the First Lord of the Treasury whether, in view of the strong expression of opinion last week by the House of Commons in favour of the House rising every year in the month of July, and of greatly curtailing the Debate on the Address, the Government will take steps for bringing about those changes?

*MR. W. H. SMITH: I recognise, of course, that there is in the House a strong feeling in favour of an earlier adjournment, but I should hesitate at once to do what the hon. Member suggests, as the Government are of opinion that the question should be very carefully examined. I hope to be able to make a proposal to deal with the subject either by the appointment of a Commit-

tee or in some other definite proposal in the direction indicated.

DISASTERS IN COAL MINES.

MR. EVANS (Glamorgan, Mid.): I beg to ask the First Lord of the Treasury whether, having regard to the fact that over £5,000,000 are paid annually in this country as royalties on coal, and having regard also to the frequency of disasters and accidents to workers in coal mines, and to the wide-spread distress caused thereby, the Government will give facilities for the passing of a short measure through Parliament to provide that royalty owners shall contribute a small percentage, say 2 per cent., out of the royalties they receive, towards establishing a national fund for the relief of such distress?

*MR. W. H. SMITH: The Government have no statistics which corroborate the figures given by the hon. Member, nor are the Government prepared to give any pledge with regard to a Bill which might seriously affect the relations of masters and men, and which might also have the very serious consequence of stopping the spontaneous generosity which has hitherto successfully dealt with distress arising from these calamities.

THE EMPLOYERS' LIABILITY BILL.

MR. D. CRAWFORD: I beg to ask the First Lord of the Treasury whether the Second Reading of the Employers' Liability Bill will be taken before Easter?

*MR. W. H. SMITH: I am unable to hold out much hope that the Bill will be taken before Easter, but next week I will make a definite statement on the subject.

THE BERLIN LABOUR CONFERENCE.

MR. ATHERLEY-JONES (Durham, N.W.): I beg to ask the First Lord of the Treasury for what reason the British plenipotentiaries to the Berlin Labour Conference have been exclusively chosen from persons occupying an official position or being employers of labour; why no representative working man has been selected as a plenipotentiary; and why a Member of this House has been appointed to the inferior position of an expert delegate?

MR. CREMER: Before the First Lord answers that question I wish to ask if he can state whether the French Government or any other Government represented at the Conference has divided its representatives into two classes, and why Her Majesty's Government have made such a distinction in the case of the British representatives?

*MR. W. H. SMITH: I regret that the question on the Paper appears to imply that there has been a distinction made between the classes of persons representing this country at the Berlin Conference. No such distinction was intended by Her Majesty's Government, nor has any such distinction been drawn by them. The gentlemen who have been appointed as plenipotentiaries, so called, are appointed because they have a general knowledge of all the questions to be dealt with. The gentlemen appointed as experts, so called, are appointed because they have a special knowledge of certain trades and interests with which they are identified. But there is no distinction drawn which implies any sort of difference between the gentlemen appointed in one capacity and in another. I much regret that any such suggestion should have been made in this House.

MR. CREMER: I will put another question on the Paper to-morrow.

(6.0.) DR. TANNER: May I ask the First Lord of the Treasury why no working man representative has been selected?

*MR. W. H. SMITH: I should have thought my answer would have been satisfactory to the hon Member. The gentlemen appointed to represent this country are capable of dealing with all the questions which will come before the Conference. Representative working men, so called, are representatives of particular trades and interests, but the gentlemen we have selected are qualified to give valuable information to the Conference with regard to all trades.

LADY REPORTERS.

*MR. BRADLAUGH (Northampton): I desire, Mr. Speaker, to ask you a question, whether, in the event of a vacancy occurring in the reporters' gallery, there is any order of the House which would prevent the enter-

tainment of an application from a lady for a place there as reporter?

*MR. SPEAKER: There is no order of the House against a lady being admitted as a reporter to the reporters' gallery. Within the last two or three days an application has been made to the Serjeant-at-Arms by a lady, stating that she was the representative of a journal which advocated the political and social rights of women. The Serjeant-at-Arms, as I think, very properly replied that he had no authority to depart from the existing practice, nor would it be right for me to intervene in any way, unless I have the the direct and express sanction of the House, in a matter possibly leading to consequences which it would be difficult at this moment for the House to foresee.

BUSINESS OF THE HOUSE.

MR. PICTON (Leicester): I would ask whether the First Lord of the Treasury will say that the Tithes Bill will not be taken on Thursday, as the Employers' Liability Bill is not to be taken on that day?

*MR. W. H. SMITH: The Tithes Bill will not be taken before the 27th inst.

MERCHANDISE MARKS ACT, 1887, COMMITTEE.

Ordered, That Mr. Broadhurst be discharged from further attendance on the Select Committee on "The Merchandise Marks Act, 1887."

Ordered, That Mr. Mather be added to the Committee.—(*Mr. Arnold Morley.*)

POSTPONEMENT OF MOTION.

SWAZILAND.

MR. W. F. LAWRENCE (Liverpool, Abercromby): The following Motion in my name stands first on the Paper for to-day:—

"That, in the opinion of this House, it would be unjust to the British mining community located in Swaziland, in reliance on the Convention of 1884, to surrender that country to the jurisdiction of the Transvaal Government, whose fiscal system and franchise are opposed to British mining enterprise, and, if the independence of the Swazi Nation cannot any longer be maintained, the credit of this country will suffer less in the estimation of the natives by the creation of a Protectorate over them than it will by surrendering them to the Transvaal:

"And that, in the present condition of the other South African States, it is undesirable to promote the aggrandisement of the Transvaal State by giving it a seaboard."

After what has fallen from the First Lord of the Treasury as to the undesirability of debating the question at this moment, I will postpone my Motion. I hope that, having regard to the importance of the question, the Government will take an early opportunity to give a day for its discussion, or will so arrange the Estimates that the matter may be early discussed.

MOTIONS.

TOWN AND COUNTY COUNCILS (ABOLITION OF ALDERMEN BILL).

On Motion of Mr. James Rowlands, Bill to abolish the office of Aldermen on Town and County Councils, ordered to be brought in by Mr. James Rowlands, Mr. Picton, Mr. Halley Stewart and Mr. Burt.

Bill presented, and read first time. [Bill 192.]

RIGHTS OF WAY (SCOTLAND).

*(6.10.) MR. BUCHANAN (Edinburgh, W.): I desire to call attention to the constant encroachment on and the frequent loss of public Rights of Way in Scotland and the insufficiency of the existing Law for the protection and vindication of these rights, and to move—

"That it is expedient that the duty of maintaining and protecting Rights of Way in Scotland should be intrusted to the County Councils, and that the law should be amended so as to secure a cheaper and more expeditious method of settling cases relating to Rights of Way than the procedure now in use provides."

In bringing this Motion forward I will endeavour, for more reasons than one, to be very brief. I am, I think, required to prove two things—first, that the grievance is real and substantial; and, secondly, to show that the grievance is at least in some degree capable of a remedy by the action of the Legislature. I do not think I need detain the House by expatiating upon the value to the country of keeping up footpath Rights of Way and drove roads. And I need not, I think, go into detail as to the character of the legislation that should be passed, believing that such a proposal as I am making is of the nature of a suggestion for legislation on the part of a responsible Government, and that it is not required of me to sketch out a skeleton of a Bill. Last year, in the discussion of

the Scottish Local Government Bill, we had an opportunity of dealing with this question, and there were various Amendments suggested which would have carried out to a very large degree the objects I have in view. It is more or less with the view of suggesting legislation on similar lines that I now bring forward this Motion. On the Scotch Local Government Bill the Solicitor General for Scotland opposed an Amendment which I brought forward in reference to rights of way, on the ground that there was no real grievance, and that the establishment of a right of way was a popular action which could be raised by anyone. First of all, as to the argument that there is no real grievance. No one who knows Scotland can have any doubts on the subject. In the Lowlands of Scotland we are not so happily situated as you in England, where in some countries have footpaths almost through every field. It was a saying of Lord Cockburn that we ought to have a pathway through every field, in order to enjoy the beauties of our country. In Scotland that is long past praying for, I am afraid. In the Lowlands the footpaths are quickly passing away from us, and in the Highlands also the people are in danger of losing, from various causes, their footways and paths. It was pointed out last year that the Society in Edinburgh, which has been very active in connection with this question, had reported no less than 40 cases in a single year of infringement of right of way in Scotland. I was looking through the Minute Books of this Society the other day, and, taking a single meeting of Directors at haphazard, I found, as a matter of ordinary business, it had before it seven or eight cases of attempts to shut up rights of way. I found on this occasion that besides what the Society was then mainly occupied with, namely, the case of the Glen Doll road, and matters of immediate interest to Edinburgh, it was dealing with the intended shutting up of a right of way in the Trossachs with another case in Sutherlandshire, one at Ardgour, one near Dunfermline, one in Perthshire, one near Stirling, and one case of a footpath leading to the falls of the Glomach, the highest waterfall in the United Kingdom, and one of the most remarkable sights in the country. This waterfall a few years ago was open to all tourists, travellers, and the public generally. Well, these are some of the cases which have come before that Society—a Society which does not pretend to extend its researches and work over the whole of Scotland. I have here a copy of a map showing the rights of way that have been closed during the last half-century in a single parish in the Lowlands. There have been many church roads and public footpaths closed there. As hon. Members may have noticed recently in the Scotch newspapers, the matter has been taken up by the Teviotdale Farmers' Club, although farmers themselves are often as inimical to rights of way as proprietors. This Club was appealed to by the Galashiels Farmers' Club, and at one of their meetings the chairman insisted on the importance of doing what they could to prevent the blocking up of footpaths, and of doing all in their power to get their fellow-farmers to assist them in the matter. He said that these roads could not be closed if farmers only used them. I may further illustrate the early recurrence and the reality of the grievance by a correspondence that appeared in yesterday's *Scotsman*. That correspondence has reference to two rights of way; one in the neighbourhood of Edinburgh and the other near Crieff. The latter case created considerable sensation, and last Sunday a number of the inhabitants went up the road and demolished the obstruction, afterwards proceeding to the parish church of Monzie, where at the conclusion of his service the minister, the Rev. James Taylor, referred to the unusual attendance, and, while expressing himself pleased to see them, hoped they would keep within the bounds of the law. I think that incident in itself shows how strong the feeling is in localities where there is an interference with such valuable rights as are the rights of way in Scotland. The causes of shutting up rights of way are undoubtedly of a varied character. Some of them are remediable by the action of this House, and some are undoubtedly altogether outside the action of this House. No doubt in the Lowlands a vast number of rights of way which existed 30 or 40 years ago, have been extinguished in consequence of

large farming operations, and I am afraid no attempt could now be made with any chance of success to re-open them. No doubt, owing to the great extension of railways, cattle are now largely transported by railway instead of by road; but the old drove roads still continue to be the means of communication between one large district and another. In respect of the interference by the Railway Companies with footpaths and old drove roads there is a very special grievance, and one which is quite capable of being set right by legislation. It is, I think, within the knowledge of the House that a Railway Company which wishes to make a railroad in Scotland is not obliged to give any formal intimation to any public authority respecting its interference with footpaths, drove-roads, or any roads that are not under the jurisdiction of the Road Trustees. Consequently, a Railway Company may come forward and interfere with footpaths or drove roads, and alter them or close them, and there is no public authority whose leave it has to ask, or who is bound to see that it carries out its promises. There is one well-known instance to which I will call the attention of the House. One of the most beautiful pathways near Aberdour, on the Firth of Forth, was attempted to be closed by a landowner many years ago, and it was only through the efforts of an Edinburgh Society, and by the expenditure of several thousand pounds, that the public rights were vindicated. What has since happened? The North British Railway Company got power to make a line of railway from the Forth Bridge to Aberdour and Burntisland. They had to ask no Local Authority for the power of interfering with the footpath, and it was no one's duty to examine the plans or character of the interference. They have taken possession of the footpath and have cut down the trees, so that now that most beautiful footpath is irremediably destroyed. It is quite possible for Parliament to provide in the future for the prevention of such destruction as this. There is, undoubtedly, in the Highlands a very large increase in the strict preservation of game, and larger and larger tracts of country are being turned into deer forests. Not only is this done by the proprietors, but it is very often done also by the tenants. I am certain that the common opinion of Scotland is shared by hon. Members of this House, and that there is a strong feeling that the length to which this practice has been carried in Scotland in recent years is an abuse of all honest and fair sport, and is likely to bring very serious consequences indeed upon those who have, during recent times, indulged in it. In those parts of Scotland the population is, undoubtedly, very sparse; and therefore, no doubt, public attention is not so speedily drawn to any encroachment on rights of way as would be the case in a populous part of the country. More than that, the estates in the Highlands are of vast extent; and in some cases the inhabitants of large districts, are all the tenants of a single landlord. It is hardly to be expected that, under such circumstances, the tenants are likely to take action for the defence of public rights against a man who, as it were, holds them body and soul in the hollow of his hand. The right of action alluded to by the Solicitor General for Scotland (Mr Stormonth Darling) last year as a right held by everybody, is, in such a case, a vain privilege, which they are utterly unable to exercise. Again, it is very frequently the case that when a proprietor in the Highlands wishes to shut up a right of way, he does so only as against the public, and not as against his own tenants; and we then have, as we have so often in the Highlands, the rules of an estate substituted for the law of the land. This is, undoubtedly, a very serious evil, and one which we should do our best in every way to check. I will now give the House a single instance of how exceedingly difficult—in fact, how impossible—it is for the poor inhabitants of a Highland parish to challenge an infringement of a right of way, however strong their case may be. I refer to the well-known Glendoll case. Glendoll is a valley in Forfarshire, and the Glendoll road leads from the valley to the upper waters of Deeside. It was much used in former times as a drove road, for the conveyance of cattle and sheep from Deeside down to the markets of Forfarshire. It is, undoubtedly, less used now,

if used at all, for the conveyance of cattle; but it is the only means of communication for foot-passengers between the upper waters of Deeside and the lower country. A new proprietor bought the estate five or six years ago and proceeded to shut up the road. This was in 1885. The case was brought under the notice of the Rights of Way Society in Edinburgh. They devoted much deliberation to it, and it was not till the summer of 1886 that they issued a summons against the proprietor of Glendoll for shutting up the road. On the 20th of July in that year Lord Kinnear, the Lord Ordinary, ordered the case to be tried by a jury at Edinburgh. The proprietor appealed against that judgment, on the ground that it ought to be tried before the Judge himself. The Second Division of Court of Session reversed Lord Kinnear's decision, and ordered the trial to be held before his lordship without a jury. The Lord Ordinary gave judgment in favour of the public, and his decision was affirmed by the Inner House, and finally by the House of Lords; but the case was protracted for more than two years, while the costs incurred in the litigation amounted to £4,500. The taxed costs of the Rights of Way Society were nearly £1,300, and, although they won in every Court, they had to pay £650 for extra costs out of their own pockets. It is therefore idle to say that any individual is at liberty to enforce public rights of way unless he is also prepared to incur considerable pecuniary loss even in cases in which he is successful. Surely here we have not a satisfactory legal method of settling such cases. All the evidence had to be got in the locality itself; and surely, therefore, the case is one which ought to have been tried in the locality itself. Again, if you desire to obtain a decision on matters of fact you generally submit them to a jury. Then I say that, inasmuch as what is everybody's business is nobody's business, in a claim like that set up by the proprietor of Glendoll to a right of way which had been well-known for generations, it ought to be the duty of a public authority — some one like the Procurator Fiscal, for instance— to take care that such grievous wrongs are not inflicted on the public as would have been inflicted if he had succeeded in stopping this right of way. We want to do more than simplify and cheapen the procedure in cases that arise. We want to secure that Glendoll cases shall not arise in the future. With this object in view, what we desire to obtain is that which I brought before the House last Session on the Local Government Bill, namely, that the responsibility of looking after footpaths and rights of ways, especially in the Highlands, inasmuch as they personally concern the welfare of the inhabitants, should be put upon those whom they elect as their representatives in the County Council. We have already transferred to the County Council all the former duties of Road Trustees, and why should we not transfer to them the duty of looking after rights of way? I would respectfully urge the Members of this House to consider whether there are any valid objections to a proposal like this. Last year we had the support of four-sixths of the Scottish Members. Every Scottish Liberal Unionist Member who was present, and several Scottish Conservative Members, voted for my Amendment on the Local Government Bill. If there was at that time any fear on the part of Members opposite in entrusting these duties to the County Councils they must surely have been re-assured by the elections which have shown that the men who have hitherto managed county affairs in Scotland have retained their full share in county management. There is no reason to apprehend for a moment that any revolutionary work can be undertaken by the County Councils if these powers are conferred on them; and it is undoubtedly the case that we shall not be able to settle this question satisfactorily until we put the duty upon the County Council altogether. We want to secure that, instead of its being easy for a proprietor to shut up a right of way, it shall be difficult to do so and easy to defend the rights of the public in the matter. I beg to move the Motion of which I have given notice.

Motion made, and Question proposed,

"That it is expedient that the duty of maintaining and protecting rights of way in Scotland should be intrusted to the County Councils,

and that the law should be amended so as to secure a cheaper and more expeditious method of settling cases relating to rights of way than the procedure now in use provides."—(*Mr. Buchanan.*)

*(6.40.) MR. BRYCE (Aberdeen): I shall endeavour, in the few minutes which are all I mean to occupy, to state to the House, first, what I believe to be the nature of the wrong and grievance under which we in Scotland have so long suffered, and then the character of the remedy we propose. Hon. Members know that this question of rights of way is serious in England, but it is far more serious in Scotland. My hon. Friend very properly pointed out that there were always fewer rights of way in Scotland than in England, and that the circumstances of Scotland have been less favourable in Scotland for the retention of the rights which exist. There has been greater depopulation going on, especially in the hilly districts, in Scotland than in England, and therefore there is a much smaller number of people interested in rights of way, and the difficulty both of preserving rights of way by frequent user and that of obtaining evidence in regard to them is far greater in Scotland than in England. My hon. Friend has dwelt upon the tendency of Scotch sporting proprietors to endeavour to close roads. I desire to call attention to another difficulty in the matter, and that is to be found in the character of Scotch legal proceedings. In England these cases have always gone before a jury who very laudably tempered the extreme rigidity of the law with consideration for the public interest Within the last 10 or 12 years the Court of Session has begun to refuse to allow cases of this kind to go before juries, and has insisted upon their being tried before Judges. That has had two unfortunate effects. In the first place, it has led to a more strict and exact construction of everything in favour of the proprietor against the public than has taken place in England. Anyone who is familiar with the trial of these cases in both countries will see that the attitude of the English juries is more liberal and more indulgent to the rights and claims of the public than has generally been the action of the Judges in Scotland; and, in the second place, there is this very serious difference, that trial before a jury in Scotland means a complete and final determination of the case; but trial before a Judge means a series of appeals which run on until the unhappy litigant is landed in the House of Lords. Therefore, the fact that these cases in Scotland are tried before Judges and not before juries has the effect of making the assertion of public right a far more difficult and costly process than it is in England. I am also bound to say that the Scotch proprietors have shown less regard to public rights, feeling themselves less amenable to public opinion, than the English landowners. It may be asked what are the remedies we propose? We proposed to create a Local Authority, whose duty it should be to protect the rights of the public. My hon. Friend suggests the County Council, but we are quite prepared to consider any other authority. It is all very well for the Lord Advocate to say, as he said last year, that anyone can bring an action. It is quite true that anyone can bring an action to enforce a right of way if he is prepared to spend a sum of money which may run from £500 to £600 or upwards if he succeeds, and which may mean several thousand pounds if he fails. In the case of Glen Doll, a Society with very limited funds, took up the matter, and although they succeeded they were obliged to pay £650 of extra judicial expenses in addition to expenses they recovered from the defendant. We, therefore, want to have power given to the Local Authority and we also want a cheaper process, and that cheaper process is by sending the cases before a jury. At the same time, it is not the function of my hon. Friend or myself to suggest remedies for evils that exist; it is the function of the Government to do that if they admit the grievance. My hon. Friend brought in a Bill last year, and I brought one in the year before last, but the Government did not favour either of those Bills; in fact, neither measure ever came up for discussion in the House. We now ask the Government if they do not deny, as they cannot venture to deny, that these rights of way are being

lost, and that people suffer by the loss themselves to take up the matter. If the Government are dissatisfied with the remedies we suggest, let them suggest other remedies of their own. The case is urgent. The difficulty of preserving evidence becomes greater every year, as the depopulation of hilly districts becomes greater every year. These rights have become of less value to one class of people, namely, the cattle drovers, because of the great railway systems. But they are rights which have become far more valuable to the nation than they were formerly. Scotland is now a great recreation ground for the people of South as well as of North Britain. While hon. Members go there in the autumn for their sport, very large numbers of their less wealthy fellow-subjects go there for recreation and the enjoyment of nature and solitude. I ask the House to preserve for the people the means and opportunities of enjoying nature and solitude in this beautiful mountainous country of ours, and to secure to them a heritage which has become in this busy and unquiet age more than ever precious.

*(6.52.) MR. MARK STEWART (Kirkcudbright): I can understand hon. Gentlemen who have a grievance as to right of way wishing to remedy it, but, at the same time, in most parts of Scotland the grievance is almost *nil*. In the Lowland counties, of which I more particularly speak, there is very little grievance in this matter. I cannot help thinking that the statement as to the law which my hon. Friend (Mr. Bryce) made is not quite correct. He said it is customary for cases of right of way in England to go before juries, while in Scotland they go before Judges. On the contrary, it is the rule in Scotland that such questions go before juries. It is only cases in which there are exceptional circumstances which go before Judges.

*MR. BRYCE: I said that within the last 10 or 12 years the Court of Session has invariably sent these cases before Judges.

*MR. MARK STEWART: I cannot help thinking it would be most unwise to overburden the new County Councils with work. Certainly it would be especially unwise to saddle them with vexatious questions of this kind. The best remedy, after all, is publicity. There are proprietors and proprietors, and I maintain the majority of the proprietors would be far more willing to give way in matters of this kind than to incur costs in a Law Court.

(6.55.) MR. A. ELLIOT (Roxburghshire): I should like very much to hear, before the debate is much further advanced, whether or not the Government see their way to propose legislation in the direction wished for. I do not deny there may be something in what my hon. Friend (Mr. Mark Stewart) has just said, namely, that when you are starting a new system it is well not to overburden it. I should not be inclined to press the appeal on the Government if the Lord Advocate will indicate that they will favourably entertain the matter on some future occasion with a view to retaining the rights of way to the Scottish people. Having said this, I must add that no one feels more strongly than I do the desirability of retaining these valuable rights to the country. The country has very much changed its character, and villages are becoming great towns; and in many ways there is much greater necessity than formerly for preserving rights which, in old days, very much preserved themselves. These rights are becoming endangered in many ways in many parts of the country. There is no proposal to take rights away from anybody. There is no desire to take from any landlord or tenant-farmer, or anyone else, any right he at present enjoys. The intention of my hon. Friend (Mr. Buchanan) is to protect rights of the public where they exist; and I should like to remind the Lord Advocate that during the Election of 1886, the Chancellor of the Exchequer, speaking at Edinburgh, said he considered guardianship of public rights was essentially one of those matters which might very well be entrusted to County Councils. At all events, we have on our side the good wishes of an important Mem-

ber of the present Government, and, therefore, I am fondly hoping we shall have some indication from the Lord Advocate that at no distant time the Government will deal with the subject. If we receive such an indication, I personally would not be inclined to press the Motion to a decision.

*(6.58) MR. R. T. REID (Dumfries): I hope the Lord Advocate will see his way to agree to this Resolution, and in any case I trust hon. Gentlemen who represent English constituencies will observe that in this case most of the Scotch Members are at one. It is not unreasonable in us to invoke the assistance of English Mem bers under such circumstances. Let me remind hon. Gentlemen that this is a question upon which Scotchmen and residents in Scotland must of necessity know more than others. It has not been disputed that a grievance does exist. The hon. Gentleman the Member for Kirkcudbright (Mr. Mark Stewart) says he does not know of any grievance in his own part of the country; but, in a part of the country not many miles removed from the hon. Gentleman's constituency, there exists a very great grievance. In many parts of the Lowlands, by reason of changes in farming, there have been grave infringements of public rights. The hon. Gentleman opposite (Mr. Mark Stewart), who spoke against the Motion, has given us as one reason why this remedy should not be applied that the County Councils are overburdened with work and should not have this additional labour cast upon them. Why, Sir, the County Councils in Scotland have to deal with a twopenny or threepenny rate only. I am far from denying that County Councils are an excellent institution, for which the Conservative Party very properly claim full credit; but they have as yet little work to do, and it is our hope that before long not only this duty, but other duties of an important character will be laid upon their shoulders. Another reason put forward is that there is no general desire on the part of proprietors to infringe these public rights, and the hon. Member thinks that no remedy for the evil that does exist should be provided until it is shown that the necessity exists all over the country, that all proprietors have this desire. But that is not my view. Even if we have not a grievance in our own district, we ought to recollect that it undoubtedly exists in other parts of Scotland, and we should co-operate with our friends who represent northern constituencies. But I say the grievance does exist in the South also, and I sincerely hope we shall be gratified by learning from the Lord Advocate that the Government intend to apply some remedy or to give us facilities for bringing in remedial legislation.

(7.3.) MR. FINLAY (Inverness, &c.): It should be borne in mind that though the interests of the public in rights of way are, as a whole, very great, the interest of each individual is very small relatively to that of the proprietor who desires to abolish the right of way, and the result is that proprietors occupy a position of great advantage owing to the disinclination of any individual to undertake the expensive task of asserting the right of way and defending it in the Law Courts. Such rights of way are generally of most importance to the poor, who are just the persons who can least afford to do battle for such rights. Under the circumstances, I think that some public authority ought to be entrusted with the duty of defending these rights of way; and I hope that if the Government cannot accept the Motion, they will at least express their willingness to consider the subject with a view to devising some machinery by which the matter can be satisfactorily dealt with in the public interest.

*(7.5.) MR. C. S. PARKER (Perth): The hon. and learned Member for Dumfries has made an appeal to a class of Members usually small in number —I mean English Members—who care to hear what Scotch Members have to say on a Scotch question before voting against them. The great majority of Scottish Members are on one side, but unfortunately we cannot appeal to the majority of English Members, who will come in

when the Division is called and knowing nothing of the merits of the question will vote as the Government tells them. I think it is more to the point to appeal personally to the right hon. Gentleman the Lord Advocate, who represents the Government just now, and to throw upon him the responsibility of repeating that which happened last Session. Is Scotland again to be shown that although her members in a majority of five or six to one support a moderate proposal urged with remarkable absence of anything like sensational language or exaggeration, and although that majority includes Conservatives and those Liberal Members who usually vote with them, yet nevertheless, because the Government have come to a different conclusion, the general opinion of Scotch Members must be overruled? Surely it is a serious scandal that we should have this exhibition of the relations between the Parliament of the United Kingdom and Scotch Members charged with attention to Scottish affairs. I am not one of those who have encouraged the idea of a Scottish Parliament—on the contrary, I have voted twice against it—but I must say that if there is anything calculated to bring about some radical change of that character it is to find all the moderately reasoned arguments of Scotch Members, in favour of a moderate proposal, overruled in the Division Lobby by Members from England, who have not heard the debate, merely on the authority of the Government. I hope that the Lord Advocate, if he cannot accept this Motion, will, at least, inform us what the Government propose in substitution to meet the widespread feeling in Scotland.

(7.10.) MR. J. CHAMBERLAIN (Birmingham, W.): The appeal just made to English Members relieves me from the diffidence I felt at intervening in a Scotch debate. But I may point out that English Members have an almost equal interest with Scottish Members in a settlement of this question. Scotland has already sent us very good precedents in reference to some matters which we have been glad to follow, and I hope in this matter Scotland may first obtain legislation which will afterwards be applied to England. I join in the appeal to her Majesty's Government to give a favourable consideration to this Motion. The objections that have been made to it so far have been very feeble. It is said that the grievance is not a serious one, and that, such as it is, there exists a remedy for it in the Courts of Law. But the answer to this is that in the great majority of cases in which rights of way are interfered with the persons chiefly interested are not the sort of people who can afford to contest the question in the Law Courts. It is the really poor class who are most injured by these abuses. These people ought to be protected by some Local Authority. Then it is said that the County Councils are new and ought not to be overburdened. But when the County Councils were established it was not because it was thought merely that they would discharge the old routine duties better than the magistrates, but because there were a number of public interests which might be advantageously entrusted to the new bodies. This is one of the matters which might well be placed in the hands of the County Councils, and I hope the Government will see their way to giving the Motion their favourable consideration.

(7.15.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I admit the moderation with which this Motion has been supported. I acknowledge the friendly tone in which the Government have been appealed to, but I desire to point out that the Motion does not merely assert that there is a case for some change in the law, or at least

a case for inquiry, but declares the remedy which ought to be provided. This subject was discussed twice over when the Local Government Bill was passing through the House, and it is scarcely wise when the County Councils are still on their trial to impose on them new duties. The hon. Member for Aberdeen, in some of the statements he has made, has been misinformed. It is not true that these cases with regard to rights of way are ordinarily tried without juries. On the contrary, the ordinary course is for such cases to be tried by juries, and it is only in exceptional instances that this course is departed from. I mention this because I cannot help thinking that the House ought to be well assured of the soundness of its information before making certain requirements. It has not been shown that the invasion of rights of way in Scotland is of frequent occurrence. In many cases, when the facts are carefully considered, it turns out that though there was a *primâ facie* case of a right of way there is in reality no such right. It ought also to be borne in mind that the result of the present state of feeling on the subject has the effect of deterring proprietors from allowing privileges to the public for fear that these would after some time be claimed as of right. I know parts of the country where the hills are practically open to all the world, but where no legal right of way exists. In certain counties the landlords have thrown open the whole of their hills to the public. The question arises whether the public will be benefited if this state of matters is interfered with and an assertion of public rights is made. There is an observation I wish to make, and that is that I regard public rights of this character as rights of the utmost value to the community and as of a most sacred character. The spirit of Conservatism is not opposed to the assertion of such rights; on the contrary, it is of the essence of Conservatism that popular rights and privileges of this kind should be preserved and protected. For my own part, I should be against any system by which the access of the public to rights of way should be prohibited. The Motion, however, asks that the protection of public rights of way should devolve upon the County Councils. If such a duty were cast upon popular representative bodies like County Councils a great temptation would be offered them to neglect their more useful but less obtrusive work, and all sorts of litigation might arise. Last year the hon. Member for Aberdeen and his Colleagues introduced a Bill into the House dealing with this subject, but that Bill did not propose to entrust the duty of defending those rights to any elective body. It was proposed that the Sheriff or Sheriff depute of the county, on the application of two or three householders, if satisfied that there was a *primâ facie* case, should permit an action to be taken, the cost of which should be borne by the rates. The very fact that a proposal of that kind was made—a proposal diametrically opposite to the suggestion now put forward—confirms me in the conclusion at which I have arrived. I had expected that those who supported this Motion would have brought forward a very strong *primâ facie* case. But I must own—whether it is due to insufficiency of materials and facts, or because hon. Gentlemen do not think it worth while, I do not know—in my opinion, no hon. Member has brought such a case forward. I will now tell the House the view which Her Majesty's Government take of this subject. Although we cannot accede to the Motion, Her Majesty's Government are perfectly willing to take into their consideration any representations to the effect that to a substantial extent public rights of way are being infringed or are in danger of being lost, and they will see that every means that can

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be devised are taken for their preservation and protection. Further than that I cannot go, and Her Majesty's Government cannot agree to matters of this kind being placed in the hands of elective bodies like County Councils. I shall vote against the Motion, and I trust that, for the reasons I have stated, it will be rejected by the House.

(7.20.) The House divided :—Ayes 110 ; Noes 97.—(Div. List, No. 32.)

Resolved,

"That it is expedient that the duty of maintaining and protecting Rights of Way in Scotland should be entrusted to the County Councils, and that the Law should be amended so as to secure a cheaper and more expeditious method of settling cases relating to Rights of Way than the procedure now in use provides."

FOREIGN AND COLONIAL MEAT.

On Motion of Mr. Yerburgh, Bill to regulate the Sale of Foreign and Colonial Meat ordered to be brought in by Mr. Yerburgh, Mr. Carew, Mr. Rankin, Mr. Mahony, and Mr. Howell.

Bill presented, and read first time. [Bill .]

PUBLIC HEALTH ACTS AMENDMENT BILL.

Ordered, That the Select Committee on Public Health Acts Amendment Bill do consist of Seventeen Members.

The Committee was accordingly nominated of,—Sir Archibald Campbell, Dr. Farquharson, Mr. Henry H. Fowler, Dr. Fox, Mr. Edward Hardcastle, Mr. Hastings, Mr. Kendrick, Mr. Long, Mr. Francis Powell, Sir Albert Rollit, Sir Henry Roscoe, Mr. John Talbot, Dr. Tanner, Mr. Wharton, Mr. Whitmore, Mr. Henry Wilson, and Mr. Woodall.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)

STATUTE LAW REVISION BILL.

The Select Committee on Statute Law Revision Bill was nominated of,—Mr. Solicitor General, Mr. Elton, Mr. Whitley, Mr. Ambrose, Mr. Bryce, Mr. Asquith, Mr. Howell, Mr. Francis McClean, and Mr. T. M. Healy.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)

EMIGRATION.

Ordered, That a Select Committee be appointed to inquire into various Schemes which have been proposed to her Majesty's Government to facilitate Emigration from the congested districts of the United Kingdom to the British Colonies or elsewhere ; to examine in to the results of any Schemes which have received practical trial in recent years; and to report generally whether, in their opinion, it is desirable that further facilities should be given to promote Emigration ; and, if so, upon the means by and the conditions under which such Emigration can best be carried out, and the quarters to which it can most advantageously be directed.

Ordered, That the Committee do consist of Twenty-one Members.

The Committee was accordingly nominated of—Mr. Ritchie, Sir George Baden-Powell, Mr. Gerald Balfour, Mr. Campbell-Bannerman, Dr. Clark, Sir John Colomb, Mr. Munro-Ferguson, Sir James Fergusson, Mr. Hobhouse, Mr. Loder, Mr. James Maclean, Mr. William M'Arthur, Mr. Mahony, Colonel Malcolm, Mr. Osborne Morgan, Mr. Rankin, Mr. Rathbone, Mr. William Redmond, Mr. Schwann, Mr. Seton-Karr, and Mr. Wodehouse.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Akers-Douglas.*)

ORDER OF THE DAY.

DIRECTORS LIABILITY BILL (No. 60.)

SECOND READING.

Order for Second Reading read.

*(7.35.) MR. WARMINGTON (Monmouth, W.): In moving the Second Reading of this Bill I only wish, in the few observations I propose to make, to explain the particular matter at which it is aimed, and upon which there is a general concensus of opinion. It is certain that the amendment in the law which the Bill proposes has excited considerable attention. I have received notices from 50 or 60 different newspapers, and there has been in almost all of them—except in those commonly

called financial papers—an agreement that the Amendment I desire to see introduced ought to form part of the law of the country. Speaking generally, the principle of the Bill is that every person who is responsible for the issue of a prospectus shall be bound by the statements therein contained, and upon this ground—that it is commonly considered that the persons who issue a prospectus have a knowledge of the subject it deals with. One knows that in ordinary life the motive which mainly induces persons to embark in joint-stock enterprises is that the statements contained in the prospectus are backed or warranted by respectable names. Whatever doubt may have been felt up to a few months ago, it is now certain that a person may make a false statement in a prospectus and yet not be civilly liable to persons who relied on him if only he can say, "I did not take any steps to see if the statement was or was not true, and you cannot prove that I fraudulently made it." I think that that is not a desirable position. I have reason to believe that the Government will not oppose the measure. But I am not in any way wedded to the particular form in which it appears, and shall be willing to accept any suggestion as to its remodelling which the experience of the Law Officers of the Crown and others may induce them to make, or I should be willing even to accept an assurance from the President of the Board of Trade that his Bill as to the winding-up of public companies will be so extended as to render unnecessary the measure before the House.

Motion made, and Question proposed, "That the Bill be now read a second time."

(7.40.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I do not deny that there is a good deal of force in the observations of my learned Friend as to the necessity of some amendment in the law, but I can only consent to the Second Reading with a good deal of reservation, because some expressions in it, and especially in the 3rd clause, are very wide indeed. For instance, it proposes that every person who is a director of a company at the time the prospectus is issued shall give to it a warranty, as it were, of the statements contained in it. I quite agree, after the recent case in the House of Lords, that very probably some amendment will be required. The Bill of my right hon. Friend the President of the Board of Trade no doubt contains proposals to some extent similar to those in this Bill, in the matter of attaching responsibility to directors, but even those proposals have excited much opposition, and the Government may have considerable difficulty in carrying out that amendment of the law. I would suggest that the hon. and learned Gentleman should let his Bill—the provisions of which go much further than that of my right hon. Friend the President of the Board of Trade—be read a second time, but should then not proceed with it till it is seen what is done with the other measure. I think it would be inadvisable to have one Bill dealt with in this House, and the other, which contains many cognate matters, by a Committee sitting upstairs. Under these circumstances the Government will not object to the Second Reading of the Bill.

Question put, and agreed to.

Bill read a second time, and committed for Tuesday next.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being found present—

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 19th March, 1890.

QUESTION.

SEWAGE AT SHOEBURY.

(1.5.) MAJOR RASCH (Essex, S.E.): I beg to ask the President of the Local Government Board whether it is to be understood that the Local Government Board declines to interfere in the proposed daily deposit of 4,000 tons of solid sewage in the tideway off Shoebury, within five miles of the town of Southend?

A LORD OF THE TREASURY (Sir HERBERT MAXWELL, Wigton): My right hon. Friend has asked me to answer this question, and desires me to say that when his hon. and gallant Friend asks if the Local Government Board "declines to interfere" that implies that the Local Government Board has a right to interfere, but the fact is, as he has already informed the hon. and gallant Member, that my right hon. Friend does not possess that right. The Local Government Board has no jurisdiction in the matter.

MAJOR RASCH: In consequence of the answer I have received I beg to say I shall take the opportunity of calling attention to this subject in Committee on the Estimates, and shall move a reduction of the Trinity House Vote.

ORDERS OF THE DAY.

BANKRUPTCY BILL.—(No. 1.)

SECOND READING.

Order for Second Reading read.

*(1.15.) SIR ALBERT ROLLIT (Islington, S.): I beg to move the second reading of this Bill. Lord Beaconsfield once remarked "We have always a Bankruptcy Bill," but I think I may congratulate the House and the country on the fact that, at any rate since the passing of the Bankruptcy Act of 1883, there have been very few such Bills before the House, and it is only now, after full experience of the working of that Act, that expression is given to the opinion of the commercial world, and especially of Chambers of Commerce, that there is a necessity for amending that Statute. The Bill which I now introduce is based on the principle, not of reversing in any degree the operation of the Act of 1883, but of extending and strengthening its principles. I cannot help feeling that through the whole century our bankruptcy legislation has had too much the character of a reversal of machinery and a series of new departures, instead of amendments of existing Statutes, making them to conform to the teachings of experience and so to the commercial benefit of the country. But now, it appears to me, there is no necessity for any material alteration or new departure. Notwithstanding the evil prophecies which were made, I think the feeling of the commercial world is that the Act of 1883 introduced by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) has, upon the whole, worked successfully, and it is not now necessary to do more than to build further upon the foundations then laid, and to improve some clauses of the Act which may have been found not to work completely well in practice. I think, too, the Statute may be considered as having been beneficial to the trade of the country, and as having had a tendency to expose departures from commercial morality, and, in some respects at any rate, it has been a deterrent to misconduct on the part of bankrupts. But in some instances the full effect of the sections directed to this important end have not been achieved, and the object of this Bill is to provide a remedy on these points. Whatever may be thought of the effect of the Act, there is no doubt there has been recently a great revival in trade, and I think we may attribute the long depression from which the business of the country suffered mainly to over-production and unjust competition. Now, nothing stimulates unjust competition more than facilities for debtors to prolong their periods of insolvency by trading on the capital of their creditors, to fail ultimately and pay those very small dividends unfortunately much too characteristic of our bankruptcy administration. We hear a great deal of competition from abroad, and our disadvantages in having to contend with the commercial advances of other nations,

but I venture to think that we might give more attention to unfair competition at home, and consider whether by such means the large losses from bankruptcies are not preventible, and whether a saving could not thus be affected of the national wealth; whether, too, some check might not thus be put upon unjust and undue competition, and the country so placed on a higher footing of commercial morality. The Bill, as I have said, is based essentially on the principles of the Act of 1883. With one, or at the most two exceptions, there will not be found any material departure from them or any innovation upon them. And it is a satisfaction to me to know that in principle the Bill is generally approved by the commercial world. It is supported by the Associated Chambers of Commerce, who have passed resolutions in its favour, and have also presented petitions to this House in its support. The London Chamber of Commerce has also pronounced and petitioned in its favour, and the most important Chambers of Commerce in the country at Birmingham Halifax, and elsewhere have lodged petitions praying this House to pass the measure into law. The Bill has the additional advantage of being backed by Members of all political opinions, and the still greater benefit of having the approval of both Front Benches. I take this opportunity of acknowledging the material assistance rendered both last Session and this by the right hon. Gentleman the President of the Board of Trade, and I am sure I am expressing the feeling of the commercial public throughout the country, and especially that of Chambers of Commerce, when I say there has been on the part of the right hon. Gentleman not only a strong disposition to promote all legislation which has had for its object the improvement of the tone and character of our commerce, but all those engaged in matters affecting the trade and industry of the country have found him ready to lend an attentive ear and warm participation in all measures calculated to secure the advantage of the trading community. With regard to the Second Reading, I am glad to feel that there are no great difficulties to encounter. The points to which I have to refer are matters of detail, wherein I detect some imperfections disclosed by experience of the working of the Act of 1883, and seek to amend them. In fact, the whole Bill is one to be considered in detail by a Committee upstairs, rather than to be made the subject of a Second Reading discussion. At the same time, I feel, concurring in the opinion of the President of the Board of Trade, that I am called upon to explain in a general way the principles upon which the Bill is founded, and the nature of the proposals suggested, but ultimately I shall propose, with, I think, the approval of all parties, that the Bill shall be referred to the Standing Committee on Trade, where there will be found, no doubt, matters for controversy and arrangement. I am the more induced to take this course because the Act of 1883 is itself the product of a discussion in Grand Committee, and this seems to indicate that it is the most suitable method of dealing with the details of the present Bill. On one or two points, undoubtedly, the Statute calls for immediate amendment. In the first instance I refer particularly to Clause 21 of the Bill, and here I think there is undoubted reason for amending the law without delay. It seeks to render all bankrupts in future amenable for misdemeanours and offences under Section 11, Sub-sections 13, 14 and 15 of "The Debtor's Act, 1869." The bankrupts it seeks to bring within the reach of this section are those who file their own petitions in bankruptcy, and the offences aimed at are obtaining goods on credit by fraudulent representations, by pretence of carrying on trade in the ordinary way of business, and pledging or pawning goods obtained on credit and before they are paid for otherwise than in the ordinary way of trade. The House will hardly believe that such an anomaly exists in our bankruptcy administration as the fact that when a debtor has a petition in bankruptcy filed against him he may, for these offences, all of a most serious character, be prosecuted and convicted; but if he happens to file his own petition no such result can follow, and he may escape the penalty of his wrongful trading. This arises from a defect in the Act of 1883, and consists in the absence of words which, I think, can only have been omitted by inadvertence, for the words that make the bankrupt liable occur in another part of the section, even in relation to the case

where a bankrupt files his own petition. In the case of "Burden and Wood" in relation to this sub-section, no order for prosecution could be made, though the offence was undoubtedly committed, simply because of this omission in the Act of words covering a man's filing his own petition. The difficulty probably arose thus: Prior to the Act of 1883, and under the Act of 1869, a petition could only be filed against the bankrupt, and when the bankrupt sought to institute proceedings for his own absolution it was by a petition for liquidation or composition. But the Act of 1883 introduced a new system, under which a petition can be filed by or against a debtor, and although under the previous practice and under the Debtors' Act of 1869 a bankrupt could be prosecuted when a petition was filed against him, the new Act, introducing a new system, and enabling a debtor to file his own petition, did not provide in the same way for prosecution under the Debtors' Act in all such cases. This was probably a slip in draftsmanship, and with every confidence I ask the House to say that, an offence having been committed, the bankrupt shall be liable, whether the petition has been filed by himself or in hostility to him, to the consequences of his unlawful trading. We have seen the result of the omission from the Act of 1883 in the case of "Burden and Wood," and again in the well-known case of Mr. Walker, of Batley, it was impossible to make an order for prosecution, though beyond all doubt the offence had been committed. Under such circumstances I can only feel surprised that a state of affairs, in which a bankrupt can claim immunity because he filed his own petition, should have been allowed to exist for seven years. I can only re-echo the words of Baron Pollock in a bankruptcy case, "It presents a startling anomaly." Whatever may be thought of other portions of the Bill, I am sure the House will say that in the interest of commercial credit this anomaly ought to be put an end to without delay. Another evil that equally requires remedy is dealt with in Clause 22, which proposes to repeal Section 85 of the Larceny Act, the application of the terms of which, in Bankruptcy proceedings, has seriously hampered the efforts to bring commercial criminals—for so I must call them—to justice. This section of the Larceny Act provides that no person shall be liable to be convicted of certain misdemeanours—very serious ones, frauds or embezzlements by bankers, agents, and factors, offences of an essentially commercial character—if he first discloses the same in any compulsory examination before the Court in bankruptcy proceedings. Now, it has been held that this disclosure includes the case of a bankrupt who has undergone public examination. Of course, it is the duty of the Official Receiver or the Trustee upon the public examination to take care that everything material to the interests of the creditors shall be fully disclosed, and the result of the operation of this section of the Larceny Act is, that if a bankrupt, in the course of his public examination, has made a statement which would incriminate himself, then, although further evidence may be forthcoming from an entirely independent source, the law as it stands is that a prosecution shall not take place, and the bankrupt escapes, notwithstanding his admission of his offence. This produces frequent miscarriages of justice, and is a very serious commercial danger. There are, of course, two principles in conflict; one is, that the truth and the whole truth in relation to all bankruptcies shall be discovered; and the other is, that a man shall not be required to incriminate himself. I venture to think that the Bill adjusts this matter equitably. It is monstrous that if a man on examination discloses facts conclusive as to his own guilt, independent testimony shall not be able to be adduced in order to procure his conviction. But the Bill has a proviso that in cases where there has been an incriminating statement in public examination it shall not be used in evidence against the man who has made it. What is provided is that a prosecution may still take place upon independent evidence derived from other sources. That, I think, is consonant with law and equity. A jurist once said that law and equity were things God had joined together, but which man had put asunder, and I think there can be no better illustration of this than the state of the law I have referred to, but if the clause is passed, I think the matter will be properly adjusted. Now I come to a

part of the Bankruptcy Act of 1883, where one must be somewhat more critical. The effect of the Act has undoubtedly been, as I have said, to expose and punish fraudulent trading as a general rule, but I must refer for a moment to the Report of the Inspector General in Bankruptcy, whose official statements may be depended upon, and whose assistance to myself I readily acknowledge. He says—

"The general feeling of the commercial world is, that the effect of the section providing for the exposure and punishment of fraudulent trading has been greatly weakened and very much destroyed under the system, by which a bankrupt guilty of gross commercial irregularities is nevertheless relieved from his obligations, subject only to the nominal suspension of his discharge."

Now, I ask the House to consider for a moment what is the effect of a suspension of discharge, familiar as we are with such occurrences in bankruptcy. The chief legal effect is merely to prevent the bankrupt incurring a debt for more than £20 without disclosing the fact that he is an undischarged bankrupt, and if he fails to do that he may be prosecuted for a misdemeanour. But the object of the clause in the Bill making the regulations as to discharge more stringent is not to prevent legitimate trading. On the contrary, an undischarged bankrupt can trade legitimately, subject to the condition that if he does trade, and seeks to incur any large liability, he must honestly disclose the fact to the person with whom he is trading. We know there are manifold methods by which men carry on trade illegitimately after bankruptcy, making use of the names of relatives or of strangers, denuding themselves of the responsibility they may incur after bankruptcy by carrying on business in the name of other parties. There is at the present time no obstacle to such trading, legitimately or illegitimately. Moreover, for at least a year after bankruptcy it is very difficult for a man to obtain credit; but when the year has passed away, and memories have faded somewhat, then he can begin again and incur new obligations, the creditors with whom he is dealing being unaware that he is labouring under the grave discredit of not having obtained his discharge. This matter—that suspensions of discharge are of a nominal character—has attracted the attention of the commercial community for many years, and has received careful consideration at the hands of Chambers of Commerce throughout the country; and in 1886 the Associated Chambers of Commerce passed a Resolution, moved by a great commercial authority, whose death has been a great loss to the commercial world—Sir Jacob Behrens, of Bradford—who, in strong terms in the Resolution, censured this mode of carrying on business. I stop to verify my statement that suspensions of discharge are of a nominal character, wholly inadequate to secure proper trading, and to deter others from incurring the penalty that should attach to a fraudulent bankrupt. From the Report of the Inspector General in Bankruptcy, I select a few cases out of a multitude said to be of a typical character. In one case the gross liabilities of the debtor were £144,354, and the realised assets £166. In this case the debtor was a merchant and steam-shipowner, who had originally commenced business without any capital. He had admittedly been continuing to trade at a loss for some years back, and carrying forward ships and shares, which he knew had undergone depreciation, at an excessive value in his books. Among other items of liability was one of £3,500 upon accommodation bills. Upon any true or reasonable valuation of his property he must have known that he was insolvent many years before, and that he was contracting obligations which he had no reasonable expectation that he would be able to meet, and the Court found

"That his books of account do not disclose his financial position within the three years immediately preceding his bankruptcy."

One would have thought this was a case calling for some stringent suspension of discharge; but, notwithstanding these facts, the bankrupt applied for his discharge, and obtained it subject to a suspension for *three weeks*. Remember the only penalty this involves is that he shall not trade beyond £20 without disclosing that he is undischarged, and in three weeks he would be entirely free from the obligation of making this material communication. Take another case, that of a merchant with liabilities £32,464, and estimated assets £31. This debtor attributed his failure to the insolvency of his firm

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three years before, caused by differences arising on speculative transactions in the produce market. The Inspector General adds—

"These losses appear to be as much of the nature of gambling as any of those incurred at a gaming-table. But the debtor's discharge was granted subject to a suspension for three months. So this speculative gambler was at liberty to go into society and incur new liabilities without disclosing that, under these circumstances, he was a bankrupt three months before."

Another case I have before me is that of a florist who was a bankrupt 12 years previously, paying no dividend. He was again bankrupt five years previously, when a dividend of 3s. 4d. in the £1 was paid. So there were three failures in 12 years, and on the third occasion his estate was not expected to pay more than 1s. in the £. The Official Receiver reported that his books were unreliable; that he had traded after knowledge of insolvency, and contracted debts without reasonable probability of repayment. The County Court Judge granted the discharge subject to six months' suspension, remarking that he felt in so doing "he was allowing his sympathy to get the better of his judgment." I think that his sympathy should have been reserved for the creditors, who ought to be protected from the incursions of men who fail under such circumstances as these. I have before me the particulars of another failure. The debtor in this case was a financial agent; his liabilities amounted to £35,612, and his assets to £80. He had been bankrupt twice previously. Yet he was granted an almost immediate discharge. There are cases in which the details are almost humorous. One man—described as a "gentleman" in the schedule—attributed his failure to being without an income; he had lived for years on the incomes of his creditors, and ultimately failed with practically no assets. Yet he was able to get his discharge very quickly. The Inspector General says that—

"Many other illustrations of a similar character might be given from the experience both of London and of the country, all tending to prove that bankruptcy does not, as a rule, arise from misfortune or from unforeseen circumstances beyond the debtor's control, but is the necessary result of deliberately reckless trading, or of gambling, or of culpable abuse of credit. . . . . On the question of a debtor's discharge, as has been pointed out in previous Reports, and as is further amply verified by the experience of the past year, the provisions of the Act, and the action of the Courts in dealing with offences under the 28th section, have not, as a rule, been such as to inspire any great degree of apprehension in the minds of debtors who have committed these offences, or to prevent others from following their example. Such transactions as the floating of accommodation bills when a debtor knows that he is insolvent; the obtaining of goods on credit to be sold below their market price for the purpose of staving off bankruptcy; and the adoption generally of ruinous means for obtaining money for the same purpose are rarely taken into account in dealing with a debtor's application for a discharge under the English law; while the non-keeping, or the improper keeping, of books, is generally dealt with as an offence which is amply punished by the withholding of the discharge for a nominal period. . . . . A careful study of these cases (which it should be remembered have been selected solely on account of their magnitude, and not on account of their special character), will probably satisfy anyone who is acquainted with the most elementary conditions of business, that only a very small fraction of them can justly be attributed to misfortune, and, apart from cases of actual fraud, it may well be doubted whether the Legislature in passing laws from time to time 'for the relief of insolvent debtors' really contemplated the letting loose upon the mercantile community without conditions and free from their obligations of debtors, who (as appears in the great majority of these cases) have shown themselves so reckless of their neighbour's interests and so incompetent to manage their own affairs."

I am not surprised at a remark attributed to Mr. Justice Cave, the Bankruptcy Judge, to the effect that the Judges are far too lenient. I think it is clear, then, that the suspension of discharges is too frequently of a merely nominal character, and that some alteration is urgently called for. It may therefore be regarded as one of the main objects of this Bill to strengthen the law in respect to the defects which experience has thus shown to have arisen in its administration under this particular head. I am perfectly aware that many members of the commercial community who have studied this question feel that it is difficult to draw a hard-and-fast line which shall be equally applicable to every bankrupt. I agree with that; but I think it is quite right and proper that there should be some attempt to lay down a minimum line of punishment, so far as the suspension of discharges is concerned, in the case of bankrupts who have brought about their bankruptcy by culpable conduct. The Bill therefore proposes that where the condition of discharge is a temporary

suspension for certain acts specified in this measure, then the minimum period of suspension shall be five years; and that when the condition is the payment of a dividend, the minimum dividend on which a discharge may be granted shall be 10s. in the £1. Probably these figures may not command general acceptance, but they are open to consideration by the Grand Committee on Trade. I should point out a matter which considerably modifies the apparent stringency of these conditions: it is still proposed by the Bill to leave in the hands of the Court unlimited discretion as to the discharge of a bankrupt, on his agreeing to judgment being entered up against him, appropriating his future earnings, and in this Bill the amount of future income to be attached will be a matter entirely in the discretion of the Court, Under the statute of 1883, where future income is attached as a condition of discharge, judgment is, it has been held, to be entered up for the whole balances of the debts; but this provision was found to be too stringent, and the section has consequently become practically inoperative. I do not disguise from myself, in dealing with this Bill, the fact that Draconic legislation frequently defeats its own ends; and therefore I have proposed that where any portion of a man's future earnings is appropriated to the payment of past debts, the amount should be in the discretion of the Court, and the discharge of the debtor may at once be granted. Then, again, the Bill provides—and I think rightly so — that where the bankrupt has been guilty of felony or misdemeanour he shall be cut off from commercial society altogether, and that no absolution shall be granted him by the Bankruptcy Court. It may be suggested that this provision is too severe; but I think it is one calculated to secure proper commercial conduct, and to deter persons from committing acts which ought to be universally condemned. The application of the remedies I have suggested will, I think, act as an inducement to bankrupts not to fritter their estates away in various stages of insolvency to the disadvantage of creditors. The present system enables dishonest men to live for years on the money of their creditors; it enables them to plunge on the principle "Heads I win, tails you lose;"

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and the records of the Bankruptcy Court afford many illustrations of the fact that debtors themselves frequently think it best to wreck their estate so as to leave little or nothing for the creditors, in the hope that the latter will come to the conclusion that it is not worth while to investigate the matter at all. This will account for the numerous cases in which dividends of one farthing are declared. There are many instances in which there have only been infinitesimal dividends paid; and so long as a man feels that he can with impunity and at the risk and cost of his creditors trade in such a manner we shall never ensure that reasonable and prudent course of action which ought to characterise men, even when they are in a position of insolvency. One does not want to denude a man of all hope; but, on the other hand, we ought not to place creditors in a hopeless position by encouraging such a course of trading. The Bankruptcy Court records show that in 1887 no dividends were paid in 37 per cent. of the bankruptcies; in 23 per cent. the dividend was less than 1s. in the £1; and in 20 per cent. it ranged from 1s. to 2s. 6d. in the £1. In 1888 two-thirds of the cases dealt with by the Chief Official Receiver in London resulted in the payment of no dividend at all. In London, in 1887, there were eight cases with a liability of over a million and a quarter, and the dividend realised was only 2¾d. in the £1. In 1888 the proportion of assets to liabilities was only 31·5 per cent.; and I have here a record of many too typical cases which shows the urgent necessity for something to be done to stop a course of action which results in so much disaster to creditors. I will take first the case of Mr. Ellis Hyams, tailor and clothier, of Nottingham. Replying to Mr. Barlow at a meeting of his creditors he is reported to have made these answers—

"Mr. Barlow: How long have you been insolvent?

The Debtor: For some years.

For six years?—Yes.

For eight years?—Yes.

For 10 years?—I cannot say.

Don't you know to a year or two?—No; I cannot tell you.

What have your personal expenses been?—About £600 a year.

So you have been living at the rate of £600 a year and have been insolvent all the time?—Yes."

Now, Mr. Speaker, the report of this debtor's examination goes on to say that a creditor inquired if there were no power to inflict punishment in such a case, and he was informed by the Official Receiver that there was no power; but if the case went into bankruptcy the debtor would have to apply for his discharge, and all the facts could then be laid before the Court, which might suspend the discharge. It is to deal with cases like this that the Bill is promoted. The Bill asks the House to consider the interests of creditors as well as of debtors. If the latter are entitled to sympathy the creditors, at any rate, should receive justice. The Bill gives them that justice, while it refuses no reasonable mercy to debtors consistent with doing justice to the creditors. I think, then, I have shown that the suspension of discharges is too often nominal, and that the absence of a discharge is not a great incubus on a man who trades legitimately or even illegitimately, for it only requires him to state the fact that he is an undischarged bankrupt. And, lastly, I have pointed out that there are too numerous cases in which men have gone on trading recklessly until their assets have been reduced to the merest pittance. And now in relation to deeds of composition and arrangement, if the House should approve the clause dealing with the suspension of discharges it will be necessary to adjust to it that portion of the Bill which deals with composition arrangements; because if it were not altered the effect of the more stringent regulations in bankruptcy would be to induce debtors to avail themselves of composition schemes, and thus get through the Court without making any substantial payment to the creditors. It has been argued that the public have little or nothing to do with such arrangements. We know from experience that often creditors are glad to get what they can, and that they care little as to whether or not the conduct of the debtor has been culpable. But our object in bringing forward this Bill is to strengthen the beneficial influence which the Act of 1883 has had upon commercial morality; and we therefore propose, in the matter of composition arrangements, to insist on the payment of a dividend of at least 7s. 6d. The distinction between this sum and the dividend to be insisted on in bankruptcy is accounted for by the assumption that the costs of winding up and distributing a debtor's estate will amount to the difference between the 10s. and 7s. 6d., and that a guaranteed composition of 7s. 6d. will be equivalent to the administration in bankruptcy of an estate likely to realise 10s. in the £1. In one respect the Bill facilitates compositions by simplifying the procedure. At present, in order to effect a composition or arrangement, it is necessary to hold one meeting before the public examination and one afterwards, the idea being that creditors after the public examination are better able to judge as to whether the conduct of the debtor justifies the acceptance of his offer. But, as a matter of fact, it is found that the question of conduct exercises very little influence on the decision of the creditors in these cases, the arguments which appeal to them being chiefly of a pecuniary character. Moreover, the holding of two meetings involves both delay and expense, and occasionally prejudicially affects businesses which it is desirable to keep as going concerns. Therefore, it is proposed by this Bill that only one meeting shall be held, but that creditors may be at liberty, if they think fit, after the public examination, to apply to the Court to set aside the composition arrangement. Another provision, which I think will be found very useful, is contained in Clause 7, by which it is proposed that in cases of summary administration the limit shall be extended from £300 to £500. It has been found, under the Act of 1883, that the arrangements for summary administration have acted beneficially in reducing costs and expediting the winding up of estates. Even now, in summary cases, the Board of Trade can dispense with the holding of second meetings, and although that course is generally adopted no complaint has ever been received that it has prejudicially affected creditors. In view of these facts, the Bill proposes to extend the limit for summary administration to estates of £500. Now, Sir, the only other clause to which I need refer is Clause 10, which is of a very important character, for it constitutes certain acts mis-

demeanours. It is a clause as to which very much may be said both for and against; and the President of the Board of Trade—to whose authority I shall readily bow—thinks great consideration should be exercised before so penal a clause is inserted in the Act. In the Grand Committee there will be opportunities of consulting numerous opinions on the subject, and of ascertaining what is the general feeling of the commercial community; and if the opinion should prove adverse to the clause its stringency can be modified, or it may be omitted, although personally I think more stringency in some of these respects is most desirable. At any rate, the matter can be thoroughly threshed out in the Grand Committee, through which I hope the Bill will pass The new misdemeanours proposed in this clause are—(1) rash and hazardous speculation, or unjustifiable extravagance in living, which is too often a characteristic of bankruptcy; (2) undue preference to creditors within three months of insolvency, which my experience as a former Registrar, constantly acting as Judge under the delegated powers of the Act of 1869, showed me was the most fruitful source of litigation. The very basis of the Bankruptcy Law is the equal distribution of the estate among the creditors; but bankrupts often, a few months before their failure, take the opportunity of preferring their relatives and friends to the disadvantage of their general body of creditors. The third new misdemeanour is fraud or fraudulent breach of trust. The punishment in these cases is proposed to be imprisonment not exceeding 12 months, with or without hard labour. There is a strong feeling in favour of these clauses in commercial circles; and the meeting of the Associated Chambers of Commerce at Cardiff unanimously passed a resolution in favour of the constitution of these acts as misdemeanours. We have precedents for this in Continental Codes, which I believe are of great advantage in repressing conduct of the character I have described. Under the French Code the law is as follows:—

"The debtor is liable to be punished with imprisonment where among other offences—

(1.) His personal or household expenses have been excessive;

(2.) He has lost large sums, either in gambling, or in operations on the Stock Exchange, or in merchandise;

(3.) He has purchased goods to be sold below their market price, with the intention of staving off his failure;

(4.) He has, with the same intention, borrowed large sums of money, and put bills in circulation (accommodation bills presumably), or has adopted other ruinous means for obtaining money;

(5.) He has not kept books, or they have been kept irregularly and do not give a true statement of his assets and liabilities."

Under the German Code we find that debtors are dealt with under the Criminal Law, and punished by two years' imprisonment, whenever they have—

"(1.) By excessive expenditure, gambling or speculation in differences either in Stock Exchange values or merchandise, lost excessive sums of money, or have become indebted through such losses;

(2.) Omitted to keep trade books as required by law, or kept them so improperly that they fail to give a proper survey of the position of their affairs."

And on the subject of books I will make this remark, that in nearly all aggravated cases there is the offence of defective book-keeping; not only are the books defective but frequently they are intentionally misleading, and in my opinion there ought to be a stringent requirement that proper books shall be kept. I have a letter here from a commercial gentleman at Bradford, who points out that under the German Law

"Every merchant starting business must make an opening balance sheet, stating clearly all his assets and liabilities. The balance sheet must be signed by himself and produced on his stopping payment. He must also keep a cash book, journal, and ledger, all books to be properly paged and to be preserved 10 years. Anyone who fails and is found to have broken one of these rules is dealt with in a most strrngent manner."

Bad book keeping is far too frequent and is the cause of much commercial mischief. *Fas est ab hoste doceri*; and no doubt there is much to be said in favour of this foreign stringent procedure where a man is so negligent as not to keep books at all. In such a case he cannot hope for success, the only success he can hope to obtain being at the expense of those with whom he deals. We may then, I think, learn a little from the laws of foreign countries on this subject, and where we are under strong competition with foreign nations it is possible that a knowledge of their mode of procedure in such cases may be

useful to us in our own commercial dealings. I have now gone through the chief points of the Bill. I do not think it necessary to deal at any length with those minor proposals which are more matters of detail, and which will be much better discussed by the Grand Committee. There is, however, one point to which I should like to make a passing allusion, and that is, the provision of the Bill which reduces the amount on which a bankruptcy petition may be filed from £50 to £20. I think £50 is an arbitrary and also an illogical sum, because if a man is deemed to be insolvent when he cannot pay £50, he certainly ought *à fortiori* to be regarded as insolvent if he cannot pay £5. It would, however, be desirable to reduce the amount experimentally to £20, in contemplation of any further diminution which experience may demand. There are other good reasons why the amount should be reduced to £20. One is that although a petition can only be granted on debts of £50 and upwards, nevertheless a petition may be equally granted on a judgment for any amount, so that if it is thought desirable to make a man bankrupt for a debt of less than £50 the debtor must incur the expense of obtaining a judgment before he can present his petition. That is an additional hardship on both creditor and debtor which this Bill seeks to remedy. The Bill also contains provisions for altering an innovation made by the Law of 1883, as compared with the Act of 1869. It relates to the Trustees' title, and the Bill provides that such title shall no longer be restricted to three months' but shall go six months back, as was the case for 12 months under the Law of 1869. I think I may say that the period now adopted is too short, and that it has opened the door to a great deal of fraud. My own experience tells me that a great deal of litigation in bankruptcy has turned on the short period of the relation of the Trustees' title, and has facilitated undue preference by the debtor of his family and other friendly creditors. There is also a provision which gives to the Board of Trade power to appoint special managers of the bankrupt's estate. The object is to appoint these special managers only in urgent cases, and it is sought because sometimes the two creditors who now nominate are apt to give a vested position to persons who would not be the best managers for the intended purpose. In conclusion, I have to apologise for having taken up so much of the time of the House, although the subject is a very intricate and difficult one, and not without great practical importance. I am glad to see present so many Members, who I hope are prepared fully to debate the subject and to throw more light upon it. I feel I have dealt with it somewhat inadequately; nevertheless, I commend the Bill to the cordial consideration of the House. It comes from the commercial community, and they have a strong feeling in favour of the reforms it proposes, a feeling which is based on very unpleasant experiences as far as they are concerned. I think the best mode of dealing with the subject under discussion would be to adopt the course taken in the case of the Act of 1883, which was carried through by the right hon. Gentleman opposite, and refer the Bill to a similar tribunal, and I trust the end may be—as I think it will, because the proposals are based on strong considerations—to benefit legitimate trade, and encourage the legitimate trader, and at the same time to deter those who pursue and think only of their own selfish interests, while they sorely damage the interests of those with whom they deal as well as the general commercial interests of the country to which they belong.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(2.25.) COLONEL HILL (Bristol, S.): Mr. Speaker, I rise for the purpose of seconding the proposition, which the hon. Member has made in a speech of that clearness and ability one would naturally expect in one of his professional, commercial, and official experience, which has placed him in possession of so much knowledge on the subject. I do not think it is possible to exaggerate the importance of the question of bankruptcy. Upon the due administration of the Bankruptcy Laws depends, to a very great extent, the preservation of that standard of commercial morality which it is necessary for this country to keep if it is to maintain its great position in the commercial world. The subject of bankruptcy has occupied

the attention of the Associated Chambers of Commerce, of which I now have the honour to be President, for some 28 or 29 years; and all kinds of motions have been made and have received ample attention from the Chambers. We have even discussed the question whether any Bankruptcy Laws at all should be adopted. The Bill introduced by the right hon. Gentleman the Member for West Birmingham has, no doubt, done a very great deal to improve the Bankruptcy Laws, but experience has shown that the Act contains certain anomalies, and that there are certain deficiencies in it, which it is the object of the present Bill to remove and correct. This Bill might very properly be termed the Debtors' Relief Bill, for that is really its main object. The Legislature have thought that it would be more kind, and more advantageous to the State, when a man has been overcome by misfortune, that he should, if possible, be afforded an opportunity of exercising any abilities he may possess, in retrieving his position, and so benefitting the community, and so he is relieved from the legal burden of his debts. The question of their repayment is left to him as a moral responsibility. And we have had some brilliant examples of men who, by their abilities, have emancipated themselves from their difficulties, and having paid small dividends have afterwards satisfied, in full, all claims upon them, though their obligation to do so was of a moral and not of a legal character. I will not go into the Bill more than is necessary, but I will remark upon one or two leading matters which it is designed to correct. First of all, it has been found that there is some considerable difficulty in ascertaining what exactly constitutes a bankrupt. It is a matter which has been much debated by learned Gentlemen, and about which there has been highly technical decisions given by the Bankruptcy Court. The second clause may be said to deal with the matter and make it more plain in future. Considerable inconvenience has arisen and creditors have been injuriously affected because £50 has been the minimum amount of indebtedness necessary to the proof of bankruptcy. I am informed that the proportion of debts under £50 is something like 80 per cent. of the whole. It is proposed by the Bill to reduce the minimum amount of debt entitling to a bankruptcy petition from £50 to £20. Even £20 is a sum which, in the opinion of many, is a great deal too large, and the fact that 60 per cent. of debts are under £10 seems to support that contention. That is a question, however, which may be reserved for the Grand Committee, or for future legislation; but there is little doubt that some reduction of the £50 is needed. Another inconvenience, and I may say a great injury to creditors, occurs in consequence of limiting to three months the retrospective view of the Act. It has been shown by experience that frauduleut pretences are made, and legal documents making over property are executed, which would not be possible if a longer time were adopted. The Bill proposes that the period should be extended from three months to six. I think the feeling of the House will be that that is a very moderate proposition, which will not in any way inconvenience the honest trader. Again, it is considered desirable that a composition may be accepted at the first meeting in order to encourage creditors, to attend the meeting in person, and to judge of the character of the bankruptcy in which they are interested. This also is a proposal which seems to me to be worth attentive consideration of the House. A great defect in the present Act is found in the discharge of bankrupts, and the facilities which debtors enjoy for evading the law. Clause 9 of the Bill suggests certain penalties to be imposed on the bankrupt coming into the Court with assets less than 10s. in the £1. With regard to the question of books, in 99 cases out of a 100 a bankrupt who keeps proper books can tell his position well enough to wind up his affairs before he has lost 10s. in the £1. I hold that in these days, when education is so thoroughly extended all over the country, when you can hardly find a little girl or boy who cannot read and write and do something in arithmetic, that for a man to engage in business without keeping proper books is very wrong, and that if he should come to grief he ought to be made to feel that he has been guilty of negligence. Very often no books are kept, or they cannot be produced in Court, and for such negligence, or for hazardous speculation,

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or for the instigation of frivolous actions, or for wanton extravagance while in debt, no consideration is due to the bankrupt. Then there comes the question of the punishment of individuals who are guilty of faults of this kind. I do not think the Bill is unduly stringent on this point. Such offences are seriously regarded in other countries, and ought to be in this country. There is another provision which is intended to apply to compositions. Compositions have frequently been used as a means of evading the Bankruptcy Laws, and unfortunately the difficulties, expense, and delays of bankruptcy proceedings are so great that creditors are induced to connive at compositions which ought not to be accepted. I think it only wise that some limit should be placed on this power of making compositions. No doubt there are circumstances under which compositions are honest, just, and desirable, but on the other hand they are frequently very much abused. I am sure no one would wish to make a law which would act unkindly or harshly upon the just trader. But the laws hitherto have been so much abused that there is undoubtedly a feeling springing up in the commercial mind that it would be far better to abolish Bankruptcy Laws altogether, and leave the debtor to the tender mercies of the creditor, and my experience is that cases in which that mercy would be withheld would be of very unfrequent occurrence. I do not propose that we should do so, but I refer to the feeling as a reason why the House and the Grand Committee should give its very best attention to the Bill. I believe the measure, if carried, would do a great deal to make proceedings in bankruptcy such as we should wish they should be.

*(2.40.) MR. SYDNEY GEDGE (Stockport): I find I have lived already under six Bankruptcy Laws, and if the Bill is passed I shall have to live under a seventh, because it will practically constitute a new Bankruptcy Law. I remember the time when we all thought ourselves fortunate in obtaining the consolidation of the law in 1849, and I personally regret that one of the features of the law as it then stood has since been done away with, namely, degrees in certificates. Then I remember the chorus of triumph and blowing of trumpets with which the Law Officers in 1869 brought in a Bankruptcy Bill, under which we lived for 14 years. There were great defects in that law, and I was very glad indeed when the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) brought in the Act under which we have been living since 1883. I sincerely hope that the provisions of that Bill will continue during my lifetime—not that I ever hope or fear to take advantage of the provisions of a Bankruptcy Act. I look on all these changes chiefly from a creditor's point of view. When I read this Bill through last night my first impression of it was that it ought to be rejected on the Motion for the Second Reading. The speech of my hon. Friend who introduced the Bill has, however, convinced me that such a course would be a mistake, and that all the Bill's defects can be cured in the Grand Committee. I confess I do not find in the measure exactly the principles which my hon. Friend spoke of in his able and interesting speech. Its first principle, as it struck me when I read the Bill last night, seems to be the multiplication of small bankruptcies. It will take away discretion as much as possible from the Court. It will take away from creditors powers which they already have, and it will set a great number of traps by introducing many new offences to be followed by serious consequences. The result will be to enable small people to blackmail those with whom they have dealings. In some respects, at all events, I think I can show these objections are well founded. The Bill is exceedingly difficult to understand, because it takes different clauses of the existing Act and alters them, and sometimes inserts new clauses, but does not say whether these are to supersede the old or to be added to them, and one has to read the provisions of this Bill into the Act of 1883 in order to understand it. The measure carries further than is the case at present that which is a dangerous thing to do, namely, to treat all persons alike, whether traders or not. Now, the Legislature has abolished the distinctions between bankruptcy and insolvency, but in doing that and in making laws to catch the dishonest trader care must be taken not to catch honourable men who find them-

selves, without intending it, within the meshes of the law. For instance, the 9th clause proposes to enact that the Court shall refuse the discharge of the bankrupt where it appears he has committed any felony arising out of or connected with his bankruptcy, which is right enough, but it also imposes on the Court the obligation of refusing the discharge of a bankrupt where he has committed any misdemeanour. You might then have a case of this kind. A man, being unable to pay his debts, sends his boy to school without the fee, and thereby commits a misdemeanour. Under such circumstances the Court is obliged to refuse his discharge. Surely this is not the intention of the promoters? My hon. Friend who has just sat down seemed to think it would be a good thing if there were no Bankruptcy Laws. I have often thought the same, but that is hardly a reason for making such a stringent Bankruptcy Law as this. The first object of the Bankruptcy Laws is, I presume, to enable creditors to get a bankrupt's estate into their hands and convert it into cash as expeditiously as possible. The next object is to allow a debtor who has become a bankrupt through no fault of his own to get his discharge, so that he can begin to earn his living again as soon as possible, instead of becoming a burden on the parish. A purely subordinate object is to punish a dishonest debtor in the hope of deterring others. In doing so, we must be very careful indeed, because of the great ramifications of modern business and modern society. I have known a very eminent literary man who became bankrupt in early life, because he had taken a share in an unlimited liability company, which came to grief. Every shareholder in an insurance office whose liability is unlimited, and which fails, is liable for the whole amount of its indebtedness. Judgment may be obtained against him for the whole amount, and under this Bill a man against whom such judgment is obtained can never get his discharge if he cannot pay 10s. in the £1, a simple impossibility in such cases as these. A number of changes are made by the Bill which seem to me to be by no means wise, and which I hope will be amended in Committee. I find that acts which are defined to be acts of bankruptcy are very widely extended by the Bill beyond anything which have ever been acts of bankruptcy in the English Law before. Thus, if a man submits to any of his creditors a statement showing that he is insolvent, that is made an act of bankruptcy, and such a provision may be availed of by some small creditor to make the poor man a bankrupt. His solicitor is in all probability a creditor, and if he submits to him confidentially a statement of affairs showing that he is insolvent, or if he shows a similar statement to three or four creditors together, that, under the Bill, is an act of bankruptcy, and a small creditor hearing of it may take advantage of it to levy blackmail upon the debtor. The man may be insolvent at the present moment if everybody presses him for payment of all he owes. I have known a barrister who was able to obtain time paying his college debts which, if they had all been pressed for at once, he could not have paid. Under this Bill that man, if he consulted two or three of his creditors, or his solicitor, and put before them a statement showing that at that particular moment he could not meet his debts, would be committing an act of bankruptcy, although he was doing his best for his creditors and had every prospect of paying everybody in full in a few years. [Mr. W. REDMOND: Divide, divide.] I hope the hon. member who says "Divide" will never come under this measure. I am sorry to see that under the Bill the Official Receiver can no longer be a Trustee. Under Section 5, while at present no man can go and look at the debtor's statement of affairs unless he states in writing that he is one of the creditors, under this Bill any person can look at the statement. I observe that the name of the hon. Member for Northampton (Mr. Labouchere) is at the back of the Bill, and I have no doubt that if the clause passes in its present form we shall have a man sent round by *Truth* to inspect and report upon the books of all well-known creditors. Again, I see no reason for the distinction that while the bankrupt must pay 10s. in the £1 before he can get his discharge, a composition must not be less than 7s. 6d. I did not quite follow the argument of my hon. Friend on that point. I understood him to say that 2s. 6d. out of the

10s. would be the cost of the bankruptcy. But the dividend actually paid is to be 10s. in the £1, and if the cost is to be 2s. 6d. out of every 10s. collected, you must provide for 12s. 6d. in the £1. Then I come to Sub-section 2 of Clause 7. I find that whereas under the present law a statement of the creditor's affairs must accompany the offer of a composition, under this Bill there is no such provision, and therefore the creditors will have to consider whether they will accept the composition without having that information before them. There is much less discretion left to the Court and the creditors. Under Clause 8 a Trustee "shall" be appointed not "may." I do not think we ought to limit or take away the discretion of the creditors and the discretion of the Court. Clause 9 specifies the facts on proof of which the Court must either refuse or order a discharge, or suspend the operation of the order for a specified time, or grant an order of discharge subject to conditions. The first fact is—

"That the bankrupt's assets are not of a value equal to 10s. in the £1 on the amount of his unsecured liabilities."

Surely it is very unwise to lay down a hard-and-fast rule of that kind. That is a fact which ought to be omitted from the clause. Why not leave the matter to the discretion of the creditors and the Court. Then—

"That the bankrupt has during within the three years immediately preceding his bankruptcy, failed to take steps to make himself properly acquainted with his true financial position."

Suppose he did take steps three years before, and found himself insolvent owing to his college debts, for example, is he on that account never to get his discharge? Then take Sub-section 2 of the same section. The Court has no discretion with regard to the period of the suspension of the discharge. It must either suspend the discharge for a period of not less than five years or until a dividend of not less than 10s. in the £1 has been paid, and so on. To suspend the discharge for five years is heavy punishment. Whom does it benefit? It benefits no one, but it does infinite harm to the bankrupt. I have already shown the hardships of suspending the discharge until 10s. in the £1 is paid. Another alternative is that the Court "must," not "may,"

"require the bankrupt, as a condition of his discharge, to consent to judgment being entered against him by the Official Receiver or Trustee for any balance, or part of any balance, of the debts provable under the bankruptcy, which is not satisfied at the date of the discharge."

The introduction of the words, "part of any balance," is new, and I approve of it, but I object to the removal of the present condition, that the judgment shall be enforced by execution only by leave of the Court, and it has to be shown that the bankrupt has become possessed of some property or earnings on which the judgment can be enforced. You may have a Trustee or Receiver who is a personal foe of the bankrupt, and who follows the poor fellow week after week with the intention of enforcing the judgment. I will pass on to Clause 11 which seems to me to be open to grave objection. It is—

"If the Court is of opinion that the terms of any proposal for a composition or for a scheme of arrangement are not reasonable, or are not calculated to benefit the general body of creditors, or in any case in which the Court is required where the debtor is adjudged bankrupt to refuse his discharge, the Court shall refuse to approve the proposal."

In other words, you have creditors who have trusted the man foolishly, they are offered a composition of 9s. 6d. in the £1, it is shown that no more can be paid, and they wish to get it. Because the bankrupt has acted badly that composition must be refused. All the creditors are to be punished. They are to see the estate wasted because the bankrupt has behaved badly. Could anything be more illogical than such a proposal as that? I hope it will be struck out of the Bill. There is only one other point I wish to refer to, and that is the examination of the bankrupt. At present it is considered of such paramount importance in the public interest to get at the facts that when a man discloses an offence he is not liable to be prosecuted for it. In order to encourage a bankrupt to make a clean breast of everything, he cannot be punished for any offence he admits having committed. That protection is to be taken away. I hope the House will hesitate to interfere with this old and well-known principle in English Law. It is true that his evidence is not to be used against him; but this evidence will enable other proofs of the same facts to be obtained elsewhere. The Bill, how-

ever, seems to me to contain some valuable clauses, and the House is certainly indebted to the hon. Member for Islington and his Colleagues for framing and introducing it; at the same time many of its provisions are detrimental to the interests of the trader, are calculated to defeat the objects of the Bill, and are likely to act with undue harshness. In my opinion, the House should be very cautious in altering a law which was passed with so much care as the present Bankruptcy Act of 1883, and should not do so on the points to which I have referred without much stronger proof of its necessity than has yet been brought before the House. I will not move the rejection of the Bill, but only express the hope that every effort will be made in Committee to alter some of its provisions.

(3.13.) MR. J. LLOYD MORGAN (Carmarthen, W.): I cannot agree with the hon. Gentleman that the object of the Bankruptcy Law is simply to protect creditors. A main object is to relieve debtors. Again, we would imagine from the speech of the hon. and gallant Member for Bristol (Colonel Hill) that the only parties to be considered in the matter of alterations in the Bankruptcy Law are members of Chambers of Commerce.

*MR. S. GEDGE: I beg the hon. Gentleman's pardon. I distinctly said the object of the Bankruptcy Law was to protect creditors, to relieve honest traders, and to punish dishonest traders.

MR. J. LLOYD MORGAN: I think we should take a much wider view of this matter than the hon. and gallant Gentleman (Colonel Hill) seems to favour. There is one observation I desire to make in reference to the 4th clause of the Bill. The 12th section of the Act of 1883 gives power to the Official Receiver to appoint a special manager, in case the creditors apply to him to do so. By the 4th clause of this Bill absolute power is given to the Official Receiver to appoint a special manager, whether the creditors desire it or not. I am inclined to think that the power given by the Act of 1883 to the Official Receiver in respect to the management of the estate of the debtor is sufficient. I cannot help thinking that the creditors are perfectly wellable to form a judgment as to whether or not it is advisable in their interest to have a special manager. I am not opposed to the Bill—it is, in my opinion, a most excellent measure—but I cannot help thinking that there are some sections under which small debtors will be treated with great severity and hardship. Under the 28th section of the Act of 1883 the County Court judge has, in case certain offences have been committed by the debtor and reported by the Official Receiver, discretionary power to withhold or to grant the discharge in a certain time, and to impose certain conditions if he thinks it necessary. This Bill not only increases the number of offences to which regard may be had, but it divests the County County Judge of discretionary power. I see great objection to this provision, because the County Court Judge or the Bankruptcy Judge, having all the facts and documents before him, is undoubtedly the best authority on the question whether or not the debtor ought to have his discharge. The Mover of the Second Reading has said that an undischarged bankrupt is a man who is under no practical disability; that he can go about and trade just as he likes, only he must, if he incurs a debt of £20, disclose the fact that he is an undischarged bankrupt. How can a trader carry on business if, when he incurs a small liability, he has to make the humiliating admission that he is an undischarged bankrupt? I think it is a great disability for a man to be obliged to make a disclosure of that kind, and that, in fact, it prevents a man carrying on any business in the future. I fear it really leads to fraud. Men will not trade unless they are able to do so like their fellow men, and the result of this provision is that undischarged bankrupts transact business in the names of their wives. They are thus able to commit a fraud on the public, or, at any rate, to be free from the penalties of the Act of 1883. The only other part of the Bill which, I think, ought to be received with great caution is that clause which creates a new misdemeanour. If a man has been speculating or living beyond his means—for that is what it comes to—he is to be liable to 12 months' imprisonment with hard labour. We can imagine that such a provision may lead

to great hardships, especially in the case of young and inexperienced traders. I trust that when the Bill reaches Committee hon. Members will duly consider this and the other points I have raised.

*(3.18.) MR. T. H. BOLTON (St. Pancras, N.): If I felt as strongly with reference to the Bill as some hon. Gentlemen opposite I should certainly move that the Bill be read a second time this day six months. If hon. Gentlemen entertain such grave doubts as to the policy of the measure, the only course for them to adopt is to oppose the measure altogether. There is no doubt that some amendment of the Bankruptcy Law is necessary in the direction of this Bill; whether it should be of such a severe character as that now proposed is altogether another question. There is one provision which I believe will be attended with many disadvantages: I refer to the provision allowing creditors for £20 instead of £50 to present a petition in bankruptcy. I am sure that this will lead to a great deal of expense and a great deal of trouble; and will be made use of as a means of extorting money by avaricious creditors of small amount, while a certain class of practitioners will readily avail themselves of this mode of manufacturing costs. Fifty pounds is surely a small enough sum to justify a petition in bankruptcy. With regard to the question of the statement to the Official Receiver, with a view to a composition and the summoning of a meeting, that seems to be a subject rather for the rules of procedure than for an Act of Parliament. It is desirable that if any creditor or the debtor himself considers that composition would be more beneficial to the creditors, there should be some speedy mode of taking the opinion of the creditors, and I would suggest that a simple majority of creditors, both in number and value, with the sanction of the Court, should be quite sufficient, without its being necessary that there should be a majority in number, and of three-quarters in value. If the majority of the creditors desire it, surely that is a sufficient guarantee that a composition is fair. With regard to the creation of new offences, I entertain very grave doubts as to whether it is wise to make two or three of the things proposed punishable as misdemeanours. Another offence I would like to notice—where a man has within three years of his bankruptcy failed to take steps to make himself properly acquainted with his true financial position; this, I think, will lead to a great deal of dispute, and will be very difficult to establish as an offence, so as to disqualify a debtor from having his discharge, and I doubt whether this provision will lead to any good. There is another provision that the bankrupt who has put any of his creditors to unnecessary expense by bringing a frivolous or vexatious action should be punished. Whether the action is frivolous or vexatious is a matter on which people may entertain very different opinions. Is the Judge who tries the action to certify in view of a possible bankruptcy, or is the Judge in Bankruptcy to decide after the result whether the action was frivolous and vexatious? At any rate, I think the provision open to a good deal of doubt. With regard to the suspension of the period of discharge for five years, it seems to me that that is an inordinately long time. The position of an undischarged bankrupt is one of considerable difficulty when he wants to carry on business, and this suspension of the discharge is only calculated to make him carry on business under some other person's name, or to do, in some indirect way, what, of course, he must do in order to earn his living. There are some other provisions in the Bill which are open to criticism, but as this is a discussion on the Second Reading of the Bill and not one upon its details, I will refrain from going into these questions. As the Bill is going to a Standing Committee I will not discuss details fully. I am in doubt as to the policy of reducing the amount for which petitions in bankruptcy can be presented, and as to the policy of increasing the number of offences, but my principal objection to the Bill is that the provisions generally are too severe in many respects; and in consequence of their extreme severity will defeat the very object that the hon. Members who have the Bill in charge desire to effect. I hope the Bill will receive careful consideration upstairs, and I believe considerable changes will have to be made in it.

*(3.30.) MR. DIXON-HARTLAND (Middlesex, Uxbridge): I congratulate the Mover on the eloquent speech he has made in support of the Bill, and I hope after the Second Reading the Bill will be allowed to go before the Grand Committee, for I cannot be blind to the fact that there are a great many clauses in it that will require entire alteration or omission. I am one of those who even in regard to the Bill of 1883 thought the commercial classes would be better off if there were no Bankruptcy Bill at all. In some of the States of America there is no Bankruptcy Act, and they get on much better than we do. When two people fail in their contract, and the one is unable to pay, it is better to allow them to get out of the difficulty by arrangement than to have recourse to a system of law. Anyhow we ought to hesitate before allowing the Bill to pass as a whole. Clauses 21 and 22 will be most valuable, and there is nothing to be said against the remarks of my hon. Friend upon these. But it seemed to me that the whole of his speech was in favour of suspension of discharge, and I notice from the form of various clauses that that seems to be the great point of his Bill. Now, I am not one of those who think that suppression of discharge is of great consequence. We do not, in commercial circles, find that it much matters. I know two large traders in the City who, having failed, carry on business in other names, and nobody makes any objection. There are plenty of ways of getting rid of the difficulty, and the risk is nominal. Whether creditors have such short memories that in a year they forget that a man was once a bankrupt I do not know, but there are new creditors and, as a rule, a man does not disclose that he is an undischarged bankrupt, and it is not to the interest of anyone to go to the Court and find out. What is far more important is to see that it is a man's own interest to suspend payment before he is in very low water, and that he shall not get his discharge unless he pays 10s. in the £1. If you can make a man stop before he goes beyond that limit that will be of far more advantage to the commercial classes than any punishment by suspension of discharge. Criminal acts, of course, ought to be punished irrespective of dividend. Reckless men now get far too much sympathy, and the Court is too lenient with them. When a man gets so low and is so thoroughly insolvent that he cannot pay more than 2s. or 3s. in the £1, then he is utterly reckless and his only course is to go on from hand to mouth, and then he does more damage to honest trading than anybody else can. It does not matter to him whether he makes a profit or loss; but it does to the honest trader, who cannot live in competition with a man who is careless of the result, and thus arise vast evils to the trade of the country. Statistics show how large a proportion of bankrupts among the mercantile classes pay very small dividends, and in such cases pity is much misplaced. The hon. and learned Member for Stockport says that gentlemen become bankrupt through no fault of their own, that they join limited companies and so suffer losses. But what difference is there, if they join a trading concern they do it with their eyes open? I do not think in the suspension of discharge there would be any advantage in making a distinction. The hon. Member for West Carmarthen (Mr. Morgan) said a Bill should deal equally with the interests of debtor and creditor, but it is the debtor who gets into trouble, not the creditor; the debtor obtains the goods and is first to be thought of. In regard to future profits I have never known a case where future profits were really pledged, and if they were it is nobody's business to look after them; nobody will take the trouble to see if they are earned or paid. The real question is what a man has at the time he suspends payment, not what he may have in the future. I do not believe in the pledging of future profits. A man is sufficiently handicapped by becoming a bankrupt, and if he is further handicapped by having to yield part of his future profits, I venture to say he will never succeed. In regard to the clause dealing with executions, if any execution being levied is to make a man bankrupt then there will be an end of executions, except for purposes of black-mail, for no honest trader would put in an execution if the moment he had gone to the expense, he had to hand the proceeds to the Official Receiver, and would get no advantage for himself. There would be an end to this process of law being carried out. Then

under this Bill it is to be a criminal offence to give an undue preference to any creditor. But what is undue preference? Suppose a man has a bill falling due, and it is not paid, then the creditor comes down on him to enforce payment, but on getting security gives time. Is that undue preference to bring a man under the penalty imposed by the Bill? If he lets the thing go he becomes a bankrupt, but because he does a thing which is perfectly honest, and which not doing would bring about an act of bankruptcy, is he to be punished? I think this clause will require much modification. As to special managers, I think this point was thoroughly discussed in the passing of the Act of 1883. We were all desirous of making the working of the Act as cheap as possible, and the special manager clause was fought for two days. The compromise arrived at was a reasonable one, that the manager should be appointed wherever the Official Receiver thought it necessary. The last point I will mention is the disclaimer of leases. The Official Receiver is to have more than 28 days to consider whether he shall disclaim a lease; that is not fair. If he is going to keep it he knows that before the end of 28 days, and it is not fair to the owner that the Receiver should hold this power for so long a time. I have known cases of great hardship where the Official Trustee has kept the landlord in suspense until the day before quarter-day, and then cleared out everything, leaving the landlord with no rent whatever. It is bad enough now; it would be still worse if this clause were passed. Under all circumstances I think it is very desirable that the Bill should be sent to Committee upstairs, and I hope it will come back to us in a very much altered form, and on that we shall pass our judgment.

(3.40.) MR. P. McDONALD (Sligo, N.): As a trader I desire to say a few words in support of the Bill. The object of a Bankruptcy Law ought to be to cheapen and expedite procedure, but the tendency of the observations of those hon. Members who have spoken in opposition to the Bill has not been in that direction. Three of these hon. Gentlemen are members of the legal profession. It is a very singular thing that proposed Amendments of the Law of Bankruptcy, in which the trading interest is mainly concerned, are always opposed by members of the legal profession. This is purely a trade question, and consequently should be left for decision to the trading interest. I have carefully read over the Bill, and will confine myself to saying that it has my thorough and entire approval as a trader, and I shall cordially support the Second Reading. I do not take exception to clauses as several hon. Gentleman have done, inasmuch as I think every clause in the Bill is necessary and very much called for, and I only hope that similar provisions may be passed into law for Ireland, for the Irish Bankruptcy Law is in a state of confusion that has led to great trouble and many abuses. The English Bankruptcy Law, after five years' operation, is about to be amended, but the Irish Law has existed 18 years without a touch of improvement, and I appeal to the Government to give us such facilities as I understand they are now going to give the hon. and learned Gentleman opposite who has introduced this Bill, for passing a measure that will meet the much-needed demands of Irish traders.

*(3.42.) SIR ROBERT FOWLER (London): Like the hon. Gentleman who has just spoken I look at the question from a commercial and non-legal point of view. I wish to point out that when a commercial man has had the misfortune to make a bad debt, he thinks the best thing he can do is to write it off at once, though anything that may come out of it of course he is glad to get. There is a story current in the City that a large firm, having written off what they considered to be a bad debt of £40,000, told an inquirer immediately afterwards that the debtor did not owe them a sixpence. The fact is commercial men have a dread of bankruptcy proceedings and do not give their attention to the winding up of bankrupt estates. An hon. Member has said this is the seventh Bankruptcy Bill within his recollection, and though I have not so many in my memory, I can recollect

during the time I have been a Member of the House, and before, many alterations of the Bankruptcy Law, but I did hope that the law had been brought into as satisfactory a state as possible. I do not believe, owing to the circumstance I have mentioned, that the proceedings are always quite satisfactory, but the difficulties are rather outside legislation. I had hoped that the legislation of 1883 had been thoroughly successful. I remember the ability displayed by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), in carrying the Bill through the House and through Committee, and after the exhaustive discussions we then had, I certainly do regret exceedingly that the House seems disposed to re-open the whole question and pass a new Bankruptcy Act. The Committee through which the right hon. Gentleman piloted the Bill with so much ability was very strongly manned by Members of both the legal and commercial interests—among the latter I may mention my lamented friend Mr. Samuel Morley, Sir Henry Peek, who has retired from the House—everything was fully discussed, and I regret the intention to go over the whole question again.

(3.45.) MR. HANDEL COSSHAM (Bristol, E.): I will not dwell upon details of the Bill; that will be better discussed in Committee, but there are two principles I would ask the House to bear in mind. The point at which all these Bills should aim is to get the estate distributed as cheaply as possible and as soon as possible. There is too much interception between the estate and the creditors; members of the legal profession get their teeth in and secure much that should go to the creditors. Any Bankruptcy Bill that does not tend to prevent this is imperfect in a very important particular. At the present time I think half an estate is eaten up by the interposition of lawyers, and our aim should be to prevent this. The great defect I find fault with as a commercial man is not so much dishonest trading, but the fact that a solicitor gets hold of an estate, and a large bulk of it is consumed before the residue reaches the creditors. I am in favour of reading the Bill a second time, but the details should remain for Committee. We are indebted to the hon. Gentleman for his explanation of the Bill. I have not much faith in Bankruptcy Bills myself; my own belief is, that creditors would be quite as well off with no Bankruptcy Act as with any Act you may pass, but the main point I would insist on is that lawyers should not get such considerable pickings from an estate.

(3.47.) MR. J. CHAMBERLAIN (Birmingham, W.): I think that the feeling of the commercial community with respect to bad debts has been accurately stated by the hon. Baronet the Member for the City of London. They take no trouble to investigate the circumstances of a bankruptcy and to prosecute the wrongdoers if there be any. This is perfectly true, but it is not to the interest of the commercial class as a whole that this state of things should continue. It is, on the contrary, to their interest that all failures should be investigated, and that any culpable malpractice should be visited with condign punishment. I confess I do not regard the Bill before the House as in any way hostile to the work upon which we were engaged in 1883. On the contrary, I hail the Bill and this discussion with great satisfaction, for, indirectly, at all events, it is a signal confirmation of the opinions arrived at by the Grand Committee in those days. That Committee did not at the time believe a final settlement of the question was being arrived at. I may say at once there were several points on which the Board of Trade were defeated in Committee, and some of these I find in this Bill; and by the light of the further experience we have had there is a prospect of their having more favour-consideration than they received at that time. There were points in respect to which the Board of Trade desired to go further, but we had not the courage to go further at that time, because we were endeavouring to substitute for the system which we thought had failed a system which was, in fact, a return to a still older system—namely, that which prevailed before the Act of 1869. There was in 1883 a very strong opinion in the country against any extension of official administration, but now experience justifies a further extension of it. There is

a clause in the Bill which extends jurisdiction from £300 to £500, and I may say it was my desire that the limit should be £1,000. Experience amply justifies the extension of the limit. Although the Bankruptcy Act of 1883 has not brought all dividends up to 20s. in the £1, an effect we cannot expect from any legislation, it has had the effect of reducing most materially the percentage of costs, and the number of very small dividends has greatly diminished. These results have been more marked in cases settled under official administration than in cases under the control of creditors themselves. I would go further, and I think experience justifies me when I say that, to insure full investigation, you must entrust inquiry to a public authority, and that you cannot rely on the public spirit or even the self-interest of creditors themselves. There is another point of considerable importance. That the debt of a petitioning creditor must amount to £50 is a condition which I should like to see altogether abolished. The limit was inserted in the Bill rather against the opinion of those who were advising me at the time. In every case it is necessary that an act of bankruptcy should have been committed, and that being the fact, every creditor, however small his debt, ought to be allowed to bring his case before the Court. The interests of creditors demand that all cases of insolvency should be at once investigated, and that matters should not be allowed to go on until the whole of the estate is wasted or lost. The present limit of £50 is based, as far as I know, on no sound principle. In the vast majority of bankruptcies there are no creditors who are owed as much as £50. The law, it is true, provides that several creditors may combine so as to reach the prescribed limit, but it is not often easy for them to take advantage of the provision. It is difficult, for example, when the creditors are scattered over the country, and live at long distances one from another. The change proposed in the Bill is, therefore, one which I heartily approve. The question of the suspension of discharge is more difficult. I agree with some hon. Members who have spoken as to the insufficiency of this suspension of discharge as a penalty. The Judges have been extremely lenient in exercising the discretionary power which they enjoy, and I think the House might well say that the power must be exercised and no longer be discretionary. I also agree that in many cases the suspension of the discharge is hardly a penalty at all, because the undischarged person finds it possible to carry on his business in another name, and in that way to evade the law. But I am bound to say I do not know any other penalty that can be substituted, and I should be inclined to take it for what it is worth, so far altering the law as in some cases to remove the discretion that rests with the Court. I think the hon. Gentleman has gone to extremes in the extension of the penal clauses, and that some of the offences for which it is proposed to make bankrupts liable to 12 months' imprisonment hardly justify so heavy a punishment. That however, is a matter which can be considered in Grand Committee, and though, in regard to that particular point, I differ from the hon. Gentleman, I must say it does not affect the value of the Bill. There is only one other point I wish to refer to, and that is with regard to the appointment of special managers. It is now proposed to give an independent power to the Official Receiver to make such appointments. When, on a previous occasion, this matter was discussed in Grand Committee, it was dealt with from a rather different standpoint. It was then urged on behalf of creditors that Official Receivers should have the right in every case to appoint special managers. I am prepared to consider the arguments in favour of that proposal, but at present I regard it with some distrust, as the result would be to multiply officials and expenses. The Official Receiver must have a great deal of discretion in the matter, but it may make him inclined to throw some of his duties on the special manager, and thus create two offices and two salaries for the duties which ought to be performed by one. But on the whole I regard the introduction of this Bill with great satisfaction, and I hope it will be sent to the Grand Committee.

*(4.4.) MR. J. R. KELLY (Camberwell: I regret that I cannot support the Second Reading of this Bill, and I must add that I think measures of this kind should be undertaken by the Government if they are to be undertaken at all. No

doubt the Bankruptcy Law is a matter of vital importance to the mercantile community. One hon. Member has twitted the lawyers in this House with taking part in the discussion, but I venture to think it is almost impossible for a layman to deal with a Bill of this kind. The fact of the matter is that if hon. Members had time to go through the Bill as carefully as I have done they would agree with the hon. Member for Stockport, who described it as a measure for the indefinite multiplication of small bankruptcies, and see that the only people who would gain by it would be the blackmailers and the money lenders. The right hon. Gentleman the Member for Birmingham has called attention to the fact to one section which has not been discussed, although it is a very useful and that is the proposal, to extend the limit of cases for summary administration from £300 to £500. I think every one agrees that that would be a useful extension, and if this Bill were simply limited to strengthening and extending the provisions of the admirable Act of the right hon. Gentleman opposite, I should be happy to support it. But this is an altogether new Bankruptcy Act, based upon principles which this House never yet has sanctioned, and which I hope it never will sanction. I agree with the hon. Member for Stockport in his views as to the compulsory examination of debtors, and I think that the effect of Clause 22 will simply be to force them to commit perjury, inasmuch as they will have to choose between admissions which, as the indemnity is to be withdrawn, may lead to their own conviction, and stating what they know to be false; and that is a position in which I am sure the House would not desire to place any man. Throughout this discussion there has been, to my mind, a very strange fallacy. It is that everybody has supposed that creditors are a wonderfully innocent set of people, who are imposed upon by a wicked set of debtors, with no sort of possibility of refusing to give credit, and often with no idea of giving credit, while it is an undoubted fact that they must know perfectly well when the retailer is carrying on a risky trade, and that they are giving the credit in order to cut out business rivals. The fact of the matter is that 99-100ths of the bad debts made in this country are made through the recklessness with which credit is given, and with the knowledge that there is little chance of the debt being paid in full. But creditors well know how to protect themselves, because in many trades there is a discount of 75 per cent. given for ready money. For instance, it is notorious that gaseliers are sold at a discount of 60 per cent. for cash, and, therefore, where an estate pays 5s. in the £1 the creditor is perfectly safe. Now I will give my reasons for saying that this is a new Bankruptcy Bill altogether. I am not at all satisfied with Clause 2; I think it would do no good whatever. I do not know of any case in which a trader would take any real trouble to follow a debt of £50, but I have known many cases where they have not taken the trouble to follow a debt of ten times that amount. Well, if they will not take the trouble for a debt of £50, they would not be more likely to do so in the case of a £20 debt, and I view with considerable anxiety and doubt the suggestion that advantage would accrue to the public generally from having an enormous number of people liable to be made bankrupt at any time by a person to whom they owe £20. Indeed, the principle might be carried further, for the hon. Gentleman who introduced the Bill boldly stated that he could see no virtue in any limit. But those who know anything of County Court procedure must be well aware of the enormous labour such a reduction of the limit would throw on the County Courts, and the waste of the small estates which would ensue. Again, I think a most extraordinary proposal has been made, that a person who is not a creditor, and has nothing to do with the bankruptcy, shall, upon payment of a fee, be able to examine the accounts, and take whatever extracts he likes from them. Upon what principle should a man, perhaps a rival in the trade, be able, on the payment of a few shillings, to find out who are the customers of the debtor, and at what prices he sold his goods? I fear improper use would be made by rival traders of that power. But I pass from that and come to the chief provisions of the Bill, which are to be found in Clauses 9 and 10. In passing, however, I may point out, in regard to Clause 8, which debars persons from acting as Trustees when once they

have been removed from a similar office, that it would act very unjustly, as sometimes a Trustee is removed simply for neglecting his duties, in consequence of ill-health, and yet by this Bill he will be for ever prevented from taking a similar position. And now, as to the proposals affecting bankrupts' discharges, I think it is a most astounding proposal that unless a bankrupt's estate shows 10s. in the £1 on the unsecured liabilities the discharge must be suspended for five years. According to that proposal it does not matter in the least how far the bankruptcy has been caused by the action of the bankrupt himself, or his partner, or of a customer, over which the bankrupt had no control, nor whether he has struggled honestly to pay his creditors 9s. in the £1, or has tried to cheat them and has not paid them 9d. Under any and every circumstance he is to remain an undischarged bankrupt for five years. There must be many cases in the knowledge of hon. Members in which a man has taken a large contract, and subsequently, through a strike, the price of labour and material has gone up and he has been ruined. Yet, under this Bill, a man who fails through no fault of his own will have his discharge suspended five years unless he can pay his creditors 10s. in the £1. Then, again, a penalty is to be inflicted if a bankrupt has not taken steps to acquaint himself with his true financial position within three years immediately preceding his bankruptcy. But does every Member of this House know his true financial position? Why, there must be thousands of men in this city who speculate in produce, and are at any time unable to ascertain their true financial position. A frivolous defence to an action is also to be constituted an offence under the Bill, but it is not stated who is to decide whether a defence is or is not frivolous. It would hardly be fair to throw the onus of deciding this on the County Court Judge, who has only a few of the facts before him, considering the severe consequences which by this new Act the offence would entail. Again, it is proposed that when a man applies for his discharge he shall be called upon to consent to judgment being entered up against him for the balance of his debts, and this judgment is to be enforceable, not as now only by leave of the Court, but at any moment which the Trustee may select. I am afraid that such a provision might work very unsatisfactorily, and that it might be used vindictively by a rival trader who happened to be Trustee of the estate. But, of course, the real point of the Bill is Clause 10, which says that if a man brings on his bankruptcy by rash and hazardous speculation or unjustifiable extravagance of living, or within three months preceding the date of the receiving order, gives an undue preference to a creditor, or is guilty of any fraud or fraudulent breach of trust, he is to be liable to 12 months' imprisonment, with or without hard labour. Therefore, a man who speculates, say, in produce, if successful will be honoured, but if unfortunate he will be imprisoned. A man who, on the verge of ruin, pays back money lent to him by friends or relations will get 12 months' imprisonment; but a man who gives a bill of sale, and so cheats his creditors of the price of their goods, and his relations of the moneys they have lent him, will not be punished. As for a fraud or fradulent breach of trust, I thought they were already offences under the existing law, and I should think that any man guilty of such an offence would be lucky to get off with only 12 months' imprisonment. We have heard a good deal about foreign codes, but it ought to be borne in mind that these codes have always made the strongest distinction between cases of insolvency and bankruptcy. If in this Bill a similar distinction were drawn perhaps I should not oppose it. But in this Bill you make a series of new offences, and entirely remove that discretion which it is so necessary to leave to the Judges in these matters. Moreover, the Bill actually names a minimum instead of a maximum penalty, which is opposed to the principle of all modern legislation. The fact of the matter is that this is a Bill favoured by Chambers of Commerce, and it treats debtors as criminals, sending them to prison for acts which have never been deemed to be offences against our law at all. We are not here to study merely the opinions of Chambers of Commerce. We must look to the public interest generally, and, therefore, in order to enter my protest against the Bill, I beg to move "That the Bill be read a second time this day six months."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. John Kelly.*)

Question proposed, "That the word 'now' stand part of the Question."

*(4.26.) SIR J. N. McKENNA (Monaghan, S.): Although I second the Amendment, I quite recognise that this Bill contains many valuable clauses, and if it goes upstairs I hope it will pass through the Committee in a form which will retain those clauses while the more objectionable features are eliminated, which the hon. Member who last spoke has pointed out. There are persons who give credit, perfectly well knowing that the trader is practically insolvent. We all know there are cases in which 50 per cent. discount is allowed on ready money transactions, and this class of trade is particularly prevalent among the small shopkeepers, who not only get goods, but also get money on credit on most onerous conditions. Now, Sir, my principal objection to the Bill is that it provides no remedy against fraudulent creditor. The fraudulent creditor is one who advances, say, £50 and obtains interest at the rate of 100 or 120 per cent., and who, having had back two or three times over the money he has lent, nevertheless appears as a creditor at a meeting of the general creditors of a bankrupt, who, perhaps, in consequence is only able to pay 1s. or 2s. in the £1. Now, Sir, I will make an offer to the hon. Gentleman who has introduced this Bill, and that is that if he will undertake in Committee upstairs to introduce or propose a clause which will provide some legitimate relief against the usurious creditor and prevent that creditor from getting anything more than the amount due to him with reasonable interest on the money he has advanced, I shall be perfectly satisfied to see the Bill sent upstairs. The hon. Gentleman the Member for Sligo (Mr. P. McDonald) has expressed a hope that the Bill may be extended to Ireland, and for my part I should like to see any good measure that would be popular with the Irish people extended to Ireland; but it should be remembered that the sympathies of the Irish people are in the main with the debtor. My sympathies, however, are not in the main with the debtor; they are divided between the debtor and creditor; but I know that anything which would accentuate the punishment of the debtor, which is now in the hands of the creditor, to inflict would be most unpopular in Ireland. The only point I desire to insist upon is this: that this Bill ought not to re-appear in the House without bringing with it some counterpoise to the enormous strength of the creditor to enforce an usurious contract.

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I think, Sir, the discussion we have had on the Second Reading of this Bill has been of a very useful character, but the measure proposes alterations in the Act of 1883 which it is essential should be carefully considered by a Committee upstairs. The difficulty the House is in with regard to a measure of this kind is this: that, in a Bill proposing to amend so large a body of the law as that which relates to bankruptcy, while there are a number of provisions that are obviously good and reasonable and which the House may confidently be asked to support, there are also a number of proposals which can hardly be said to partake of that character. My hon. Friend, who moved the Second Reading of the Bill has put in the forefront of his argument references to Clauses 21 and 22, with regard to one of which it can be said that it is quite obviously a reasonable proposal, and with regard to the other that there is a very strong balance of opinion in its favour. The 21st clause is rendered necessary by the fact that there was a mistake in drafting the Bill of 1883, which did not notice the terms of the Debtor's Act of 1869; while in Clause 22 a provision of the present law is repealed which protects a man from prosecution when he is the first to reveal an offence under examination. This is a serious question, deserving of careful discussion; but I believe the balance of opinion is strongly in favour of the Bill before the House, provided it sufficiently protects the man who, under compulsory examination, reveals an offence he has committed. The proposal in the Bill does as much as is reasonable for the protection of a man who has been compulsorily examined, and is the first to

reveal one of the offences specified in the sections referred to. The Attorney General and myself have had, since we came into office, to consider whether a great criminal should escape whose crime is revealed in a compulsory examination. But there are a large number of proposals in the Bill to which grave objection ought to be taken. It has been said that the Government look with friendly eyes on this Bill as far as some of its provisions are concerned, and would be willing to see it sent to a Grand Committee for further consideration; but the Motion which has been made for the rejection of the Bill makes it incumbent on me to say something as to the proposals it contains. I hope that my hon. Friend who has moved the rejection of the Bill will see that the questions on which he has expressed so strong an opinion are, after all, questions that may well be relegated to the consideration of a Grand Committee. There are a few suggestions I should like to offer to the promoters of the Bill. The hon. Gentleman who introduced the measure has stated that it comes to this House backed by the authority of the Associated Chambers of Commerce, and supported by a large number of commercial gentlemen who think its passage would be of great advantage to them. If this be so, I can see nothing unreasonable in the proposal that before this Bill is allowed to go before a Grand Committee a careful Memorandum should be prepared showing the changes it proposes to make in the existing law; otherwise it would be extremely difficult for the Committee, at a brief notice, to pick out those questions which will require the greatest amount of consideration. I will give the House an illustration of what I mean. In the very first clause of the Bill there is a limitation of the present law which is of extreme gravity, and will require great and careful consideration. In section (*b.*) of that clause, it is provided that a man shall commit an act of bankruptcy if by himself or through any other person he informs any of his creditors that he has suspended, or is about to suspend, payment of his debts. As the law stands at present, a man would commit an act of bankruptcy if he gave notice to his creditors that he intended to suspend payment. It is not necessary that the notice should be in writing, but the Courts hold that it should be a definite notice upon which the creditors can act, and that a mere casual notice shall not be sufficient. The effect of this section would be to alter the law so as to make information given to a creditor through any one else as to a suspension of payment sufficient to constitute an act of bankruptcy. I do not propose to discuss in detail whether this would be a good alteration or not, but I would point out that the Members of the Grand Committee would not be able to address themselves to the discussion of this Bill, unless they have before them an exact indication of the way in which the present law would be altered. In regard to the main parts of the Bill, my hon. Friend who has opposed it felt called on to say what in his judgment were its main provisions and its principle. He pointed to the section referring to the suspension of the order of discharge and to the creation of a new offence. With regard to the section dealing with the order of discharge, the hon. Gentleman pointed out that the law would be strengthened by requiring that the assets of the debtor should be equal to 10s. in the £1 on the amount of his unsecured pebts. That would be a large alteration of the Act of 1883. The point was discussed by the Grand Committee on the Bill of 1883, the authority of which Committee has by no means been exaggerated, and it was resolved that the 10s. should be struck out. The House has had no reason why the 10s. should be introduced. The effect of the Act of 1883 has been to improve the procedure in bankruptcy, and to increase the amount of assets; and it would require some strong reason why failure to achieve the 10s. should be an offence which would oblige the Court to suspend the order of discharge. So much for Section 9, which deals with this matter. The next clause, Clause 10, is undoubtedly a very important clause, and it appears to me that it is open to the most serious objection. It relates to new criminal offences, and is most curiously worded. "Where it appears to the Court on the Report of the Official Receiver that a bankrupt has done any of the following things" then the things are enumerated "he shall be deemed

guilty of a misdemeanour." That is not an accurate way of dealing with the matter. It should be if a man has done any of these things the Court should be empowered to order a prosecution, and then you are to prosecute, the charge against him being that he was rather rash, or entered into an unjustifiable speculation. It is said that one reason for proposing this Bill is that the County Court Judges do not exercise their authority strictly enough. Why is that? Because they do not think the offence has been committed. To refer a question of that kind to a jury would, I think, in a great many cases be productive of serious injustice. But the next part of the clause is still more remarkable. It deals with the question of undue preference of any creditor—an extremely dangerous thing to make a criminal offence. As if that were not enough, Clause 13 of the Bill is intended to be read with that relating to undue preference, the two together constituting a sort of constructive offence of undue preference, for which there is no justification whatever. After so long a debate as we have had on this Bill, it was desirable that something should be said from this Bench on the subject. The Government are quite willing that it should go to the Grand Committee on Trade; but I hope my hon. Friend will accept the suggestion to circulate a Memorandum before the Bill is submitted to that Committee, and that he will look to those clauses which have been commented upon this afternoon, with a view to seeing whether he himself does not recognise that further Amendments might be made. I hope my hon. Friend will allow this Bill to be read a second time and not press his Amendment.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed to the Standing Committee on Trade, &c.

LEASEHOLDERS (IRELAND) BILL.

(NO. 13.) SECOND READING.

Order for Second Reading read.

(4.48.) MR. T. P. O'CONNOR (Liverpool, Scotland Division): At this late hour of the afternoon, Mr. Speaker, I feel compelled to make my observations very brief on the Bill which I have now the honour of introducing. I do not at the present moment see on the Treasury Bench any representative of the Irish Government. We on these Benches are most anxious to have an expression of opinion from the Government on this matter. This is a measure which is looked forward to with a great deal of anxiety among the tenants, especially in Ulster, where I am sure the tenant farmers will be grievously disappointed if this debate closes to-day without an expression of opinion from the Treasury Bench favourable to the proposals put forward. This Bill consists of five clauses, the first of which gives to the long leaseholder the same right to go to the Court as the great majority of the leaseholders have to get a fair rent fixed. The way the matter stands is this—all leaseholders who hold leases for above 99 years are excluded from going to the Court. Leaseholders of land which is demesne, town, park, or home farm, which is let mainly for the purpose of pasture, are excluded by the 58th section of the Land Act, 1881. Now, if this Bill be passed, the same rights and privileges of having fair rents which are accorded to other leaseholders will be accorded to those who are at present excluded. As it is, the leaseholder of one farm may be able to go and get his rent reduced 20 or 30 per cent., while the tenant of an adjoining farm is bound to pay a rent which is clearly excessive, because he happens to have a lease for a longer period than 99 years. The maintenance of this anomaly is neither justifiable in reason or in public policy. I am sure the hon. and gallant Gentleman (Colonel Waring) must have had brought before him many cases in which the existing law presses most heavily on his own constituents. I hope, therefore, we may have the support of the hon. and gallant Gentleman for the Second Reading. I welcome the presence of the Attorney General for Ireland, who has just entered. I think he would discharge his duty more courteously and more efficiently [" Order "] — the Solicitor General (Sir E. Clarke) murmurs at

that observation. If an English Bill of this nature had been brought into the House would not a Member of the Government have been present in his place; and was not the Solicitor General himself here when the Bankruptcy Bill was discussed? I am sure he would have thought himself deserving of censure had he been absent. I quote the case of Edmund Kelly. He has the misfortune to hold a lease for above 99 years.

COLONEL WARING (Down, N.): How long?

MR. T. P. O'CONNOR: Nine hundred and ninety-nine years. The lease was taken in the year 1873, when land was at a high price. I hope the hon. and gallant Gentleman will not place any reliance on the duration of the lease, because I think that would be a most untenable argument as against this Bill. The valuation put upon the farm is £91. There is a number of leaseholders upon this estate, and they, having leases for a shorter period than Mr. Kelly, were enabled to have their rents reduced by the Land Courts, the reduction in three instances being for a total rental of £331 to £195, whereas Mr. Kelly has actually been paying £234 for a farm valued at £91. The probability is that the full rent would be about £160 a year, which would be about the same reduction as in the other cases. I have read the debate on the Bill of 1887, and I find a statement in the speech of the Chief Secretary for Ireland which would lead me to believe that this Bill is required by more than 10,000 tenants. I think I am justified in saying that 13,000 tenants would be affected by this legislation. I do not go into the exclusions under the 58th section, because they would be wiped away if this Bill were passed. These exclusions are more burdensome because the Land Courts and the Court of Appeal have given a more liberal interpretation of this provision than was originally intended. With regard to the 3rd clause of the Bill, most people will be surprised to learn that, although the tenants have had conferred upon them the right to apply to have a fair rent fixed, yet their own improvements are excluded from consideration when the rent is being fixed. On this question I must say the law appears to me to be very ambiguous and complex. As to improvements effected before the leases were made, it has been held that such cannot be considered at all, as the leases have been the consideration for them. Altogether that portion of the law is in a most unsatisfactory condition for the tenants, and I think it high time that some such provision should be passed as that I propose in my Bill. I shall listen with great curiosity to hear what the Government will say in this matter. It is not for me to point out to them their own business, but I may assure them that I do not bring forward this measure in a Party spirit, and that I should be rejoiced —as they themselves ought to feel—if they can satisfy the legitimate demands of these leaseholders. I can assure them that this is a Bill which affects farmers who share their way of political feeling in a much larger degree than those who share mine. This is practically an Ulster grievance—a grievance of Protestant and Conservative farmers in Ireland—and I hope the Chief Secretary when he speaks will not send to them a message disappointing to their hope, that this long standing grievance may be remedied.

Motion made, and Question proposed "That the Bill be now read a second time."

(5.4.) MR. W. REDMOND (Fermanagh, N.): I second the Motion for the Second Reading, and I do so as an Ulster Representative. I am certain that what my hon. Friend has said in introducing the Bill is quite true, namely, that the measure will affect Ulster principally, and affect those farmers in Ulster who are our political opponents. I shall be very much interested to hear what the hon. Member for South Tyrone has to say in regard to the Bill. Last time this question was under discussion he declared indignantly, when the Government declined to entertain the idea of legislating for these leaseholders, that he was not the slave of the Government. I am aware that the hon. Member has supported the demand that leaseholders should be allowed to have the full benefit of the Land Act of 1881, time after time, but I am bound to say, as an Ulster

representative, that I do not believe that the hon. Member has used with sufficient earnestness the influence which his services to the Government individually give him. The hon. Member may speak about not being the slave of the Government, but he knows very well that if he were in earnest in desiring to bring this benefit to the farmers of Ulster, if he were really determined to get this boon for them, he would be able to do so if he took a determined attitude against the Government. The hon. Member's position only illustrates the absurdity of a Member denouncing the Government one moment and supporting them at all hazards the next moment. If the Ulster Unionist Members thought a little more of the interests of their constituents, the Ulster Protestant farmers, and less of what they term "the disintegration of the Empire," it would be far better for their constituents, and the people of Ulster generally. I remember some short time ago a statement being made in the House that legislation for Ireland was always preceded by agitation. Ever since the Land Act of 1881 this question of leaseholders has been under discussion. First of all we could get the Government to do nothing. Then the Act of 1887 was passed, and now we ask the Government, nine years after the introduction of the Land Act, to do justice to the long leaseholders of Ulster, and put them on the same footing as other occupiers of the soil. If the Government refuse to do this it will simply amount to a declaration on their part that they distrust the Land Commissioners. If they have trust in the Land Commissioners, in the name of goodness why should they refuse to allow the long leaseholders to go into the Land Courts and get their cases settled? I am certain that, whether hon. Members representing Ulster support this Bill or not, their constituents are altogether in favour of it.

(5.8.) COLONEL WARING: I must congratulate hon. Gentlemen opposite on their newly found anxiety to look after the interests of their Protestant opponents in Ireland. It is a very encouraging symptom, and I hope we may see it largely extended. At the same time I must deprecate a remark that fell from the Mover of the Second Reading. He made a most unfair and unjustifiable attack on the right hon. Gentleman the Attorney General for Ireland, complaining of his absence when the Bill came on. Why, I do not think there is a Member of the House who has so continuously attended to all questions that he is distinctly interested in as the right hon. and learned Gentleman. As to the Bill before us, I am free to admit that there is a great deal of interest taken in it by many Ulster farmers, and I am ready to admit that some step might well be taken to relieve such substantial grievances as the long leaseholders labour under. I would remind the House that the question is one which my hon. Friend the Member for South Tyrone proposed to deal with in the direction of purchase or redemption. It is well known that Her Majesty's Government will shortly introduce a large measure dealing with land purchase in Ireland, and the subject can be dealt with either in that Bill or by means of some amendment on one of its clauses. It is not desirable to treat this subject piecemeal, and it would be far better to wait until the Government Bill is introduced. I may, however, point out that there is no reciprocity in the provisions of this Bill, for, while it enables the lessee or grantee to go into Court to have the rent fixed, there is no provision that the lessor or grantor shall have the same right. If one party who has made a bad bargain is to be allowed to back out of it at his option, why should not the other party be given similar rights?

MR. T. P. O'CONNOR: Our precedent is the Act of 1887.

COLONEL WARING: That was a good thing so long as it dealt with terminable leases, for a period arrives in those leases when any anomalies which were created by the original lease can be remedied; but here we are dealing with leases which are practically in perpetuity, as between 99 years and 999 years scarcely a lease exists in the whole of Ireland, so that leases of over 99 years may be taken as in perpetuity. I maintain that the lessor is as much entitled to consideration as the lessee, and if a clause were inserted in the Bill giving the lessor an equal right I should be very much tempted to give the measure my sanction. There is one argument in favour of the

Bill, which I am not at all inclined to object to. Many of the evils—I might almost say most of the evils—complained of by hon. Gentlemen opposite have arisen, not in consequence of the action of the older landlords in Ireland, but in consequence of the action of a class of lessors with whom I have no sympathy, namely, those who, having bought land in the Landed Estates Court, have regarded their purchase as a commercial investment, and have proceeded to raise the rents of ordinary tenants and to grant leases at unduly high rents. Such lessors, I know, have been tempted in many cases to invest large sums of money in land on the representation of the Landed Estates Court, that the rents on the properties were too low. Having bought, and being unaccustomed to the feudal relations existing between landlords and tenants which existed long ago, and which, I am happy to say, exist still in parts of Ireland, in spite of hon. Gentlemen opposite, they have raised the rents in many cases, and have induced their tenants to take long leases at high rents. These cases may require some legislation; but this is not the proper moment to introduce it, and I therefore beg to move the Amendment of which I have given notice.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words—

"As the Government are about to introduce a Land Purchase Bill in which the question of the long leaseholders can be dealt with, it is inexpedient to raise the question at the present time."—(*Colonel Waring.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(5.17.) Mr. T. W. RUSSELL (Tyrone, S.): The hon. Member for Fermanagh (Mr. W. Redmond) has expressed his curiosity as to the course I shall take on this subject; but, considering that I voted on last Wednesday for the Second Reading of a Bill which contained a clause somewhat similar to the main provisions of this measure, the hon. Member can scarcely be in doubt on the point. The hon. Member accused me of not using whatever influence I may have had with the Government on the subject. I think if the Chief Secretary heard that charge he must have been somewhat amused, because I can appeal to him that if there be one question that I have personally pressed on his notice and that of other Members of the Government more than another it is that of long and perpetuity leases. [Mr. A. J. BALFOUR: Hear, hear.] Now, I do not altogether agree with the hon. Member for the Scotland Division of Liverpool. This is not specially an Ulster question, and that view is borne out by the fact that the Leaseholders' Association has its head quarters in the City of Cork. Nor do I believe that the number of aggrieved leaseholders is anything like 13,000. In 1887 it was said that the number excluded from the Act of 1881 was 100,000, but only from 25,000 to 30,000 have availed themselves of the privilege of going into Court. If we take into account those perpetuity leaseholders who have not the slightest idea of going into Court, I believe we shall find at most the number who would care for this boon and privilege is a little over 4,000. The grievance of the leaseholders was bad enough when all were excluded from the benefit of the Land Act; but the grievance of the leaseholder who does not enjoy the benefit of the Act because his lease is over 99 years, whilst his neighbour on the other side of the fence with a shorter lease is admitted to its privileges, is a very obvious and real grievance. I put it to the Chief Secretary what is the use of allowing this friction to go on among a small class in Ireland? If all landlords were like the hon. and gallant Members for North Down and North Armagh there would be no Land Question in Ireland; but that is not the case. The perpetuity and long leases were in the main forced on tenants by middlemen who purchased in the wreck and ruin of 40 years ago at 50s. and 60s. an acre, and I do not see why these middlemen should be better treated than other landlords who have given leases for 99 years. It is on this ground I make another appeal to the Government to take away this cause of friction and to allow these people to come into Court and obtain the benefit of such decisions as the Sub-Commissioners may give them.

*(5.22.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The hon. Member who has just sat down made an appeal to me to say whether or not he has exerted his

influence on behalf of the Irish perpetuity leaseholders. I give him my testimony in the most hearty manner, for there is no doubt that of all the advocates of the interests of the perpetuity leaseholders in Ireland the hon. Member has been at once the most persistent and the most able, and if it is possible—as it may be possible—to find some method of dealing with this particular case, I shall certainly feel that it is due to the way in which the matter has been pressed on the attention of the Government by the hon. Member. What is the grievance of these leaseholders? On this point I am not able to place myself wholly in accord with my hon. Friend. Hon. Members appear to think that if a tenant finds himself the victim of an onerous bargain it must be the landlords that are to blame; but, personally, I cannot acquit from blame the persons who have entered into these bargains. My hon. Friend holds that the tenants have been forced into long leases, for the most part, under the threat of eviction by middlemen who bought through the Landed Estates Court. But if it can be proved that the tenants have been compelled to enter into leases under the threat of eviction, then the law already provides an adequate remedy, and the leases can be broken by going into Court under the Act of 1881. But I suspect that the main reason why the tenants entered into these leases was that they imagined that the rise in the value of land which went on from 1865 to 1875 was going to be continuous ever afterwards; and having formed that estimate, they were only too glad to make themselves parties to a bargain which would hand over to their pockets and keep out of the pockets of the landlords any future rise which might take place. I cannot, therefore, acquit them of culpable negligence and want of foresight, when they deliberately bound themselves to pay for agricultural land the full rent for ever. At the same time, I do not acquit the landlords. I think that the landlord ought to consider that the rent was paid as a consideration for the land, and if there becomes a manifest and hopeless discrepancy between what the land can produce and the fixed rent, a reasonable landlord will not refuse to reduce the rent to a fair amount. Now, consider for a moment the principles on which we ought to proceed in dealing with these cases. I have always maintained that those who took perpetuity leases are no longer to be fairly considered in the same category as ordinary agricultural tenants. There is a point beyond which you cannot regard agreements as ordinary bargains between landlords and tenants. They are rather analogous with the purchase of land on borrowed money. But the landlord cannot be allowed to claim both the privileges of a landlord and the privileges of an incumbencer. If he elects to be a landlord he must submit like other Irish landlords to having his lease broken, and his tenant may go into Court and have a fair rent fixed. If he chooses the position of a mortgagee, there will be no hardship in his being bought out at market value. Speaking, therefore, on broad grounds of the principle raised in the Bill before us, I am of opinion that, without inequity to the landlords, and to the enormous advantage of the small and, I admit, hardly-used class, which this measure is especially designed to serve, you could give the landlords the alternative either of being landlords and having the leases broken, or of being head rent chargers and being compulsorily bought out. I think in this way a fair and adequate solution might be found of a problem which has perplexed me even more than the many other difficult problems raised by the Irish Land Question. In that way what is undoubtedly an Irish grievance—in Ulster as well as other parts of Ireland—might be brought to a satisfactory termination.

(5.30.) MR. T. P. O'CONNOR rose in his place, and claimed to move, "That the Question be now put;" but MR. SPEAKER withheld his assent, and declined then to put the Question.

Debate resumed.

MR. W. P. SINCLAIR (Falkirk, &c.): I move the adjournment of the debate.

*MR. SPEAKER: It is already past the half hour, and consequently too late.

And, it being half an hour after Five of the clock, the Debate stood adjourned.

Debate to be resumed to-morrow.

SUPPLY [17th MARCH].

Resolutions reported (see pages 1028-1081).

First four Resolutions agreed to.

Resolution 5.

(5.40.) DR. TANNER (Cork Co., Mid): I should like to point out on this Resolution that when before the Navy Estimates Committee Mr. Dick, who is connected with the Medical Department of the Navy, stated that it had been recommended by Lord Camperdown's Committee—and this gentleman felt it his duty to support the recommendation as strongly as he could—that medical officers returning after long absence from medical service abroad should be given a period of leave—say six weeks or two months—to bring themselves abreast of the most recent medical and surgical knowledge. This is the system adopted in Germany, and I think it is one worthy of imitation. I am anxious not to detain the House at this period. I frequently object to discussion at this hour, and desire myself to avoid a course which I have to complain of in others; but I should like to hear from the noble Lord whether anything is to follow from the recommendations I have referred to.

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): We desire to give effect to these recommendations. I agree with the hon. Member that a short training would be of great use to medical men who return from long periods of foreign service, and I can assure the hon. Member that the question has not been lost sight of. It is now being considered.

Resolution agreed to.

Resolutions 6, 7, 8 and 9, agreed to.

Tenth Resolution postponed.

Subsequent Resolutions agreed to.

Postponed Resolution to be considered to-morrow.

Ordered, That the Resolution which, upon the 14th day of this instant March, was reported from the Committee of Supply, and which was then agreed to by the House, be now read;

"That a number of Land Forces, not exceeding 153,483, all ranks, be maintained for the Service of the United Kingdom of Great Britain and Ireland at Home and Abroad, excluding Her Majesty's Indian Possessions, during the year ending on the 31st day of March 1891."

Ordered, That leave be given to bring in a Bill to provide, during Twelve Months, for the Discipline and Regulation of the Army; and that Mr. Secretary Stanhope, Lord George Hamilton, the Judge Advocate General, and Mr. Brodrick, do prepare and bring it in.

SOUTH INDIAN RAILWAY PURCHASE.

Resolution reported,

"That it is expedient to authorise the Secretary of State in Council of India to raise in the United Kingdom, on the securities of the Revenues of India, any sum of money, not exceeding in the whole the sum of £5,267,556 11s. 2d., for the purchase of the South Indian Railway, and for the discharge and redemption of debentures thereon."

*MR. BRADLAUGH (Northampton): I do not wish to prevent this formal stage from being taken, but I do desire to intimate to the right hon. Gentleman in charge of the measure that if he wishes to prevent a debate on the Second Reading—which I have no wish to raise, as I understand there is need for passing the Bill during a limited period—he will say something as to the new policy of the Indian Government with regard to railways and the grants of land and mineral rights, especially as there is a material difference in their statements last year and this Session in reference to the Chittagong and Assam Railway. I simply say these few words to avoid delay on the Second Reading.

MR. A. O'CONNOR (Donegal, E.): This Vote was obtained in Committee without explanation as to the purposes and objects with which it was put forward. We have not heard a word from any responsible Minister as to the reason why £5,000,000 should be raised here for the service of India, and if, as appears to be suggested now, the Second Reading is to be taken without discussion or full explanation as to the present policy and attitude of the Government with regard to Indian revenue, it is perfectly unreasonable to expect the House of Commons to assent without protest. It certainly is unreasonable to expect a stage of an important measure like this to be taken without debate on such a day and at such an hour as this. The question of railways in India is one which requires to be threshed out at considerable length. Questions have been raised here and in India as to railway works which many people would like to see undone. Enormous sums of money have been spent on these works, some of

which are unremunerative, and it is a question whether it is fair to charge India for millions of capital upon which a dividend is guaranteed to English capitalists. I only rose for the purpose of protesting against the formal way in which important Resolutions of this kind are passed—without a single word of explanation.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The hon. Member, I think, could not have been in the House when the first stage—that is to say, the Committee stage in which the Resolution was agreed to—was taken, because a question was put by an Irish Member, and I then gave a very concise, but still a true, explanation of the provisions of the Bill. The object of the Bill I can state in three minutes, and it may be as well that I should do so now. It is to enable the Secretary of State to purchase the Great Southern of India Railway, which at present bears a guarantee for the most part of 5 per cent., by raising funds at 3 per cent. which would cause a saving to the revenues of India of £36,800 sterling a year. In 1873 the Great Southern of India purchased the railway, but in the contract with the Secretary of State there was a clause empowering the Secretary of State in 1890 to purchase these railways on an average price of Stock during three years previous; but that could only be done by giving notice on the 1st of March; accordingly, the notice was given on the 1st of March this year of intention to purchase on the 31st of December next. The necessary legal steps having been taken, the Bill has been brought in to give effect to the purchase. There is £3,200,000 of stock at 5 and $4\frac{3}{4}$ per cent. valued at 131 per cent, something over £1,000,000 of debentures at $3\frac{1}{2}$ and $3\frac{3}{4}$ per cent., and £460,000 of debenture stock that will not be affected by this transaction; that is to say, there is £5,200,000 to pay for the railway. There is no opposition to the Bill, and it cannot impose a fresh burden on the people of India, for, as a matter of fact, it will effect a saving. There is no question of waste lands. As to what the hon. Member for Northampton has asked I can give him the answer he desires in regard to the Assam Railway. The Secretary of State does not altogether approve of the terms the Government of India propose with regard to giving waste lands in Assam as part payment for the making of the line. The Government guarantee a grant of certain lands, but have reduced the amount of the concession to be given in that particular. That has nothing to do with the Bill in question, which deals with a guarantee on the old principle of 5 per cent.

MR. A. O'CONNOR: Is the income of this Southern Railway sufficient to meet its liabilities?

*SIR J. FERGUSSON: No Sir; I am sorry to say that is not the case. There is an annual deficiency of about £140,000 on this line, but that will be reduced by this change. As the hon. Member has truly said, some railways in India do not earn the interest guaranteed on their capital, yet I should have grave doubts whether any railway can be said to be unremunerative which tends to develop a country and give greater security.

Resolution agreed to.

Bill ordered to be brought in by Sir James Fergusson and Sir John Gorst.

ARMY (ANNUAL) BILL.

Bill to provide, during 12 months, for the Discipline and Regulation of the Army. Presented and read the first time; to be read a second time to-morrow, and to be printed. [Bill 194.]

SOUTH INDIAN RAILWAY PURCHASE BILL.

Bill to empower the Secretary of State in Council of India to raise money in the United Kingdom for the purchase of the South Indian Railway; and for other purposes relating thereto. Presented and read the first time; to be read a second time to-morrow, and to be printed. [Bill 195.]

THE RESIGNATION OF PRINCE BISMARCK.

On the motion for the adjournment of the House,

MR. BURDETT-COUTTS (Westminster): I desire to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information as to the rumoured resignation of Prince Bismarck?

*SIR J. FERGUSSON: Her Majesty's Government are not in possession of any information other than that which has appeared in the newspapers.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 20th March, 1890.

VISCOUNT FRANKFORT DE MONTMORENCY.

Report made from the Lord Chancellor that the right of Raymond Harvey Viscount Frankfort de Montmorency to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

SMOKE NUISANCE ABATEMENT (METROPOLIS) BILL.

LORD STRATHEDEN AND CAMPBELL: My Lords, I have to present a Bill for First Reading for the abatement of smoke nuisance in the Metropolis. I need only say that the measure is identical with that which was proposed to your Lordships last Session except in one particular, that it provides for giving power to the County Councils to exercise their influence in regard to the heating apparatus of houses to be constructed. I shall not move for a day for Second Reading until the various bodies and associations interested in the matter have had an opportunity of scrutinising its provisions.

A Bill to amend the Acts for abating the nuisance arising from the smoke of furnaces and fireplaces within the Metropolis—Was presented by the Lord Stratheden and Campbell; read 1ª; and to be printed. (No. 45.)

TRUST COMPANIES BILL.—(No. 42.)

LORD HERSCHELL: My Lords, I feel bound to postpone the Report stage of this Bill until Monday next, inasmuch as the Bill has not been furnished in its revised form in print. It passed through Committee on Monday last, when there were only two or three small Amendments made, and I think there is some reason to complain when, the Bill having been put down for Thursday, one is obliged to postpone it on account of its not having yet been received from the printers.

THE LORD CHANCELLOR: I cannot help feeling that attention must be directed to this subject. This has happened several times recently. On two occasions, in my own case, Bills which have been passed have not been returned to your Lordships, as they should have been. I do not mean to say that in the case to which my noble Friend refers much mischief will be done in the present condition of the business of this House; but I must say that this unexpected and unlooked for delay at other periods of the Session might occasion considerable public inconvenience.

Report of Amendments (on Re-commitment) (which stands appointed for this day) put off to Monday next.

COLONIAL COURTS OF ADMIRALTY (No. 44.)

Amendments (on Re-commitment) reported (according to order); and Bill to be read 3ª on Monday next.

TRANSPORT OF CIVILIAN SICK AND INJURED.

QUESTION—OBSERVATIONS.

*THE EARL OF MEATH: My Lords, I desire to ask Her Majesty's Government whether they are in possession of information regarding the most recent means adopted in our colonies and foreign countries for the transport by ambulance of civilian sick and injured; and, if not, whether they will cause instructions to be issued to the representatives of Her Majesty, directing them to furnish Reports on the subject, to be laid before Parliament. My object in asking this question is to draw your Lordships' attention in this House, and the attention of the public generally, to the fact that in this country we have no organised system of transport for civilian sick, wounded, and injured. Having lately visited the United States of America I found in even third and fourth-rate towns that arrangements for that purpose are made which should put to the blush the authorities of some of our largest towns. I may mention, as an illustration, that the other day a friend of mine had a servant who met with a serious accident, and it was found impossible to obtain an ambulance to take the servant to an hospital. This occurred in Paddington, and we were told that the nearest place where an ambulance could be got was Clerkenwell, and that even

then it would be necesssary to pay for the transport of the individual. Now, I do not think anyone can say that is a satisfactory state of things in regard to the transport of injured persons in a Metropolis of this size, containing very nearly 5,000,000 inhabitants. Some 10 years ago H.R.H. the Duke of Cambridge made a most laudable effort to establish some kind of system of ambulance work in the Metropolis, similar to that which I saw in operation in America; and although no actual result can be shown for that work, I still think that that effort was not entirely lost, inasmuch as it turned public attention to the want of transport in London, and it perhaps led in no small measure to the formation of the ambulance branch of the St. John's Society, of which H.R.H. the Prince of Wales is the active President. Colonel Duncan, M.P., has been a great loss for many reasons to this Metropolis, but more especially perhaps in regard to the work which he carried on during his lifetime in the establishment of ambulances. We owe it to him in a great measure that we have anything at all in the shape of ambulances in London; and both before and since his death we have owed a great debt of gratitude to Mr. Furley, who is the acting director of the Ambulance Department of the St. John's Society. I have taken the trouble to investigate what are our resources in this Metropolis, and I find that, apparently, the only public body which has ambulances at all are the Asylums Board Authorities, and I cannot make out that they are very numerous, or, indeed, very effective. Besides these, the only horse-ambulances in the Metropolis are three that are supplied by the St. John's Ambulance Society. It is true there are three hospitals which have nominally horse-ambulances, but that is somewhat of a misnomer, inasmuch as they have no horses, and if horses are required the patients have to provide the horses to put to the ambulance. There is another institution, Charing Cross Hospital, which has a hand-ambulance. Four, if not more, of our largest hospitals have no system of ambulance whatever. I do not like to mention names, but they are some of our very largest hospitals. We now come to the police. The police have stretchers which they use principally for the convenience of drunkards; and if any of your Lordships were to meet with an accident in the streets, it is probable you would be carried away upon a stretcher, and, unless your character were known by the public, you might be thought to be in a very peculiar state. On the other side of the Atlantic, in Boston, they have, to my mind, a very perfect system. That system is under the direction of the police, and is applicable to all cases of illness and accident—that is to say, of illness that is not infectious. Throughout the city—and this system I may say is in operation also in the towns of New Haven and Norwich, Connecticut, and may be in force in other cities for aught I know—at certain distances in the streets there are boxes, generally placed at corner lamp posts. Every policeman has a key with which he can open the boxes. On opening them a telephone is discovered inside and a means of communicating by electricity with the central office. If a person desires to have a patient removed from his house to the hospital, or if an accident occurs in the street, it is only necessary to communicate with the nearest policeman; that policeman opens the nearest box; he instantaneously communicates with the central office; they, in turn, communicate with the nearest district office; in that district office there are horse-ambulances ready with attendants; the horse is ready harnessed, the doors are instantaneously thrown open, the whole arrangements being carried out by electricity, and away gallops the ambulance, with two men in attendance, and, probably, within two or three minutes after an accident in the street has occurred, the ambulance may be seen galloping down to the assistance of the injured individual. This system is made available not only for accidents but for other purposes, that is to say, for the assistance of the police. Consequently they consider it is no extra expense, inasmuch as no policeman in those cities is called upon to leave his beat. If he arrests an individual upon his beat he either himself opens, or gets somebody else to open, his box and communicates with the central office. He is not allowed to take the prisoner to the police-station. The ambulances are, therefore, used also for the purpose of taking prisoners to the police-station. That avoids the necessity of the policeman having to

leave his beat for, perhaps, half-an-hour or an hour; it also prevents the necessity for other policemen leaving their beats to go to his assistance, because with the ambulances assistance always comes. To my mind it is a perfect system, enabling assistance to be given to the police; in fact, doubling and even trebling the numbers of the police, and, at the same time furnishing a very satisfactory system of ambulance, extending over the whole city. At the present time, in this country, we are trusting almost entirely to voluntary effort. Voluntary effort is a very magnificent thing, no doubt, but it cannot be expected to do everything—"*C'est magnifique, mais ce n'est pas la guerre*," was said of a certain cavalry charge; and I certainly think that some of our voluntary work cannot be considered the most effective, especially when we have to deal with enormous masses of population in our great cities and in our crowded Metropolis. I do think that, in the case of ambulance work, some organisation is required. My object, therefore, in asking this question is not so much in the expectation of receiving a reply from Her Majesty's Government as to ascertain the extent of information which may be obtainable in this respect. I shall be exceedingly astonished if they are able to afford us any, but I hope they will take steps to obtain information for the purpose of ascertaining what is the best system now adopted in our colonies or in any country in the world, with regard to establishing ambulances, so that if we find a good system, we may adopt it or improve upon it. At all events, the question will be brought under the consideration of the public, and I hope that, by means of the Reports which may be sent in, some definite result may be obtained. Our provincial towns are better off than we are in the Metropolis. I find that in Liverpool there are three hospitals which are provided with horse-ambulances; there is also one in Leeds and another in Nottingham. I am not going to detain your Lordships with further remarks, but I hope Her Majesty's Government if they have not the information will kindly consent to obtain it.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, I have in reply to state that we have no information at all from any of the colonies upon this subject, but I see no reason why we should not ask the Governors to give us some information. I should not propose to get this from every colony, but with reference to some of the leading towns in Canada and Australia. It would not, I think, answer the noble Earl's purpose to have Returns from Crown Colonies.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I can only say with regard to foreign countries that this is not the kind of information which would naturally be furnished to us by our representatives unless it were specially asked for. I may add that I have no knowledge as to the existence of such a system as the noble Lord describes anywhere in the whole world.

*THE EARL OF MEATH: Do I understand that the noble Marquess will consent to ask Her Majesty's Ministers and Ambassadors abroad to draw up Reports on the subject?

THE MARQUESS OF SALISBURY: I would rather take it in the usual form that the noble Lord should move for a Return, stating where he thinks it probable such a system exists. I do not think it reasonable that we should write to representatives in all the cities throughout the world on the subject, without any ground for believing that such system is in existence there.

*THE EARL OF MEATH: Would the noble Marquess state whether he would be willing to take any steps in the matter?

THE MARQUESS OF SALISBURY: I would rather leave it to the noble Lord.

*LORD KNUTSFORD: I may, perhaps, say that I propose to follow the same course with regard to the colonies.

METROPOLITAN HOSPITALS' INQUIRY.

QUESTIONS—OBSERVATIONS.

LORD SANDHURST: It may be within the knowledge of some of your Lordships that I moved for an inquiry last Session as to the various methods adopted for the relief of the sick poor, both by means of charity and by means of payments

from the rates. The noble Viscount, then, in the course of a very sympathetic reply, admitted that there was some reason for such an inquiry being instituted, and suggested that he should be allowed some time to consider the matter and see what was the best method of inquiry to be undertaken. I then withdrew the Motion. Some time has now elapsed, and I now beg to ask the noble Viscount whether Her Majesty's Government will agree to an inquiry by a Select Committee with regard to all hospitals, provident and other public dispensaries, and charitable institutions within the Metropolitan area for the care or treatment of the sick poor, which possess real property or invested personal property in the nature of endowment of a permanent or temporary nature, the Committee to receive, if they think fit, evidence tendered by the authorities of voluntary institutions for like purposes, or, with their consent, in relation to such institutions; and further to inquire and report what amount of accommodation for the sick is provided by rate, and the management thereof?

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): In answer to the noble Lord I should state that, in accordance with my promise, I consulted my Colleagues upon this subject, and I may inform him that the proposal which he has put on the Paper is one which we should heartily assent to. If, therefore, the noble Lord will move at any time that may be convenient to him for a Committee on this subject I can only say that he will receive the hearty support of the Government.

LORD SANDHURST: That is a very satisfactory reply on the part of the noble Viscount, and I beg, therefore, to give notice that upon an early day I will move for the appointment of a Committee, and for the appointment on that Committee of such noble Lords as may be willing to serve upon it.

House adjourned at a quarter before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 20th March, 1890.

PRIVATE BUSINESS.

RAILWAY (CONVERSION OF STOCK) BILLS.

THE CHAIRMAN OF WAYS AND MEANS (Mr. COURTNEY, Cornwall, Bodmin): It may be in the recollection of the House that last year I had to recommend the adoption of a Bill concerning the Taff Vale Railway, in which the question of dividing the ordinary Stock was considered. On that occasion the boon which it was proposed to confer on the stockholders was balanced by their consenting to the limitation of the profit on Stock, and to the insertion of a provision that if the profits on the Stock exceeded the dividend provided, the excess of profit should be devoted to the reduction of fares, or in making provision for better accommodation. I then mentioned that, in the case of other Bills coming forward, it might be desirable that they should be considered by a strong Committee of this House, or by a Joint Committee of both Houses. There are three Bills of this kind now before the House; and I intend to propose that they shall be referred to a Hybrid Committee, with power to hear evidence on both sides, and to consider what provision in the public interests ought to be inserted in them. I may mention that one of them is the Caledonian Bill, which, being technically an unopposed Bill, has been referred to me as Chairman of Ways and Means. Under the Standing Order I am empowered to mention the matter to the House, in order that they may decide whether it is one which is fit to be dealt with as an opposed measure—that is to say, that it should be considered by a Hybrid Committee. Considering the vast interests involved, I think it is not too much to ask the House to deal with the question. I beg now to move—

"That the Caledonian Railway (Conversion of Stock) Bill, the Great Northern Railway (Capital) Bill, and the London and South-Western Railway (Conversion of Stock) Bill, be referred to a Select Committee consisting of nine Members, five to be nominated by the House and four by the Committee of Selection.

That, subject to the Rules, Orders, and Proceedings of this House, all Petitions against the said Bills be referred to the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, or Witnesses, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the said Bills against such Petitions.

That the Committee have power to send for persons, papers, and records.

That Five be the quorum."

Question put, and agreed to.

QUESTIONS.

ADMIRALTY—SECOND DIVISION CLERKS.

DR. TANNER (Cork Co., Mid): I beg to ask the First Lord of the Admiralty whether, since the 20th of January last, a considerable number of the Lower or Second Division Clerks in the Seamen's Pay Branch of the Admiralty have been ordered to work eight hours daily instead of seven as heretofore; whether it was understood, on engagement prior to the date in question, that these clerks' daily office hours were from 10 a.m. to 5 p.m.; whether the extension of office hours has been necessitated in consequence of arrears; and, if so, whether such arrears were consequent upon a numerically insufficient staff; and whether, in view of his reply in this House on the 10th of December, 1888, to the hon. and learned Member for Preston, *vide Hansard* 331, 397, and 1576, any remuneration has been, or will be, given for the extra work; and, if so, at what rate?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It is the fact that the Lower or Second Division Clerks in the Seamen's Pay Branch of the Admiralty have been required to give extra attendance at the office since January last. The necessity for this extra attendance is due to arrears of work having accumulated. The question as to the sufficiency of the present staff of this particular branch is under consideration; but, in the meanwhile, temporary assistance has been given from other branches of the Department. It is under consideration to give some additional pay to the clerks of the Second Division, from whom this extra attendance has been required.

DR. TANNER: May I ask the noble Lord whether, under the circumstances mentioned in the question, it is legally competent for the Admiralty to compel the attendance of Second Division Clerks beyond the recognised seven hours per day, and is he aware that the Treasury allow the Second Division Clerks 1s. 6d. an hour for overtime?

LORD G. HAMILTON: I think it is undesirable to raise any further question as to what extra services the Department are entitled to call for in times of emergency.

DR. TANNER: I will put a further question on a future day, in order to afford the noble Lord the opportunity of giving me a proper answer.

CHURCH PROPERTY.

MR. CHANNING (Northamptonshire, E.), who had on the Paper a question to ask the Secretary of State for the Home Department when the Return, ordered on the 20th of June, 1887, of the Property and Revenue of the Church of England and the Ecclesiastical Commissioners, under the several heads specified in the Address moved on that day, will be presented, said: I believe that the question has been already substantially answered; but I would also like to know what the first portion of the Returns will cover, and when the Returns relating to the Metropolitan area are likely to be given to the House?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I must ask for notice of the question.

IRELAND—THE CASE OF SERGEANT M'GUIRE.

MR. HENRY CAMPBELL (Fermanagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the case of Sergeant John M'Guire, of the Royal Irish Constabulary, who was stationed in Innismurray Island, off the coast of Sligo, in March 1889, and who received a wound on the head on the 17th March, 1889, from the effects of which he died shortly afterwards, if he can state under what circumstances Sergeant M'Guire received this wound; and whether Sergeant M'Guire at the time of his death left any money invested, or otherwise, in the hands of his superiors; and, if so, will it be handed over to his parents

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary authorities report that the sergeant's death was due to erysipelas, resulting from an accidental fall while engaged in separating two men who were quarrelling. The sergeant did not leave any money, invested or otherwise, in the hands of his superiors. The balance of his pay to the date of his decease was handed over to his mother.

MONEY ORDER OFFICE AT BELCARRA.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Postmaster General if he will consent to open a Money Order Office at the Post Office of Belcarra, near Castlebar, in County Mayo, the population to be served being about 3,000, large numbers of whom visit England in the spring and autumn in search of work; and it is estimated that their remittances number nearly 100 per week in those seasons, to cash which their friends have to journey to Castlebar, five miles distant, while the letters are delivered to them at Belcarra?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): So far as I have been able to ascertain at present, the amount of business likely to be transactad at Belcarra would be hardly sufficient to cover the cost of conducting a money order office there. I will inquire, however, whether the special circumstances mentioned by the hon. Member would justify an office being opened, or whether it would be necessary to require a money guarantee, and will communicate the result to him.

EXERCISE IN PRISONS.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the refusal of certain prisoners in gaols in Ireland to take exercise with certain other prisoners is allowable by and in accordance with Rules issued by the Irish Prisons Boards last year; whether such prisoners so refusing constitute a class in themselves; and whether, in prisons where there are more than one of such prisoners, they will be given their exercise at the same hours and in the same place, as in the case of other distinct classes of prisoners?

MR. A. J. BALFOUR: The General Prisons Board report that the new Rule issued last year in regard to the exercising of convicted prisoners does not allow any such prisoner to refuse to take exercise with other prisoners. It requires that the exercise shall be taken at such times and places and subject to such conditions as the Governor or surgeon may direct. The fact of a prisoner being convicted under a particular Statute, or refusing to exercise with other prisoners, does not constitute a recognised classification for purposes of exercise under the Prison Rules.

MR. J. O'CONNOR: May I ask whether under the Rules issued last year, with the consent of the right hon. Gentleman and no doubt by his desire, prisoners were not to be allowed to take exercise in their own clothes or not as they please? Are those Rules consistent with his statement now, that prisoners are not allowed to wear their own clothes? In fact, are they not in direct contradiction with his statement?

*MR. A. J. BALFOUR: I see nothing about prisoners wearing their own clothes in the question on the Paper. I have described the existing Rule to the hon. Member, and there is no connection between the wearing of clothes and the exercise of prisoners.

MR. SEXTON (Belfast, W.): Did not the new Rule, following, as it did, upon a debate in this House as to the indignity inflicted upon prisoners convicted under the Act of 1887, in not being allowed to wear their own clothes at exercise, allow prisoners convicted under the summary clauses of that Act to exercise separately from others?

*MR. A. J. BALFOUR: No, Sir; I have distinctly stated over and over again, in answer to questions and in debate across the floor of this House, that no distinction is drawn between the conviction of prisoners under the Statute of 1887 and under any other Statute whatever.

MR. SEXTON: Then, what was the intention of the new Rules unless it was to allow separate exercise in some cases?

*MR. A. J. BALFOUR: It was not intended to be a privilege confined exclusively to persons convicted under the Act of 1887, although no doubt the possibility of taking separate exercise is contemplated by the Rule.

MR. J. O'CONNOR: Is it intended to disqualify a certain class of prisoners from the enjoyment of the privilege, to reduce their status, and to compel them to bear their imprisonment under what is known as the solitary system?

*MR. A. J. BALFOUR: I do not know that I fully understand the question of the hon. Member. He had better give notice of it. There is no intention of degrading any one.

MR. J. O'CONNOR: I will repeat the question by and bye.

EVICTIONS AT TIPPERARY.

MR. JOHN O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many houses of evicted tenants are now occupied by the police in the town of Tipperary; what is the rent of each house so occupied, and under what conditions of tenancy are they held; and will he state what is the necessity for taking houses of this kind whilst there is room enough in the ordinary barracks and the Town Hall now occupied by the police?

*MR. A. J. BALFOUR: The Constabulary authorities report that the police occupy two houses from which tenants were evicted in the town of Tipperary. It is proposed to pay at the rate of £70 a year for one and at the rate of £6 a month for the other. No final decision has been as yet arrived at in regard to the conditions of the tenancy. The Constabulary authorities add that the permanent barracks and the Town Hall do not afford accommodation for the number of police now necessarily employed on duty in the town.

GOVERNMENT BUILDING SURVEYORS IN IRELAND.

MR. CRILLY (Mayo, N.): I beg to ask the Secretary to the Treasury if Messrs. Patterson and Kempster, Building Surveyors of Dublin, are permanently attached, in an official capacity, to the Board of Works and Board of Control of Lunatic Asylums in Ireland; what amounts, in the event of their not being so attached, have been paid to them as fees, &c., for professional services during the last five years; what sum is at present due to them; what proportion of the total sum for five years was paid in each of those years; whether in that time estimates were sought from other surveyors in Dublin for the work done; if so, what sums were paid to other building surveyors by these two Boards during those five years; and what are the names of those other surveyors?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): (1) Messrs. Patterson and Kempster are not permanently attached in an official capacity to the Board of Works and the Board of Control of Lunatic Asylums. (2) £2,298. (3) The amount due for work done or in hand has not yet been ascertained, but would probably amount to £500. (4) The amounts are: For 1885, £920; 1886, £80; 1887, £68; 1888, £783; and 1889, £447—total, £2,298. (5 and 6) Quantity surveyors are paid on an established scale of fees. The Board of Works have never invited estimates from quantity surveyors for their work. The practice formerly was for building contractors to select and employ their own surveyor to take out quantities, charging his fees as an item in the cost of the work. The Board had, under this arrangement, no control in the selection of the surveyor, though they had to pay his fees; and this led them to adopt the present system of employing a surveyor of their own selection. The following sums have been paid to other surveyors during the five years referred to:—T. C. Antisell, £47 15s. 3d.; E. Banks, £107 7s. 5d.; E. Bermingham, £71 14s. 11d.; Corbett, £5 5s.; W. H. Hill, £25; and F. Morley, £426 14s. 4d.—total, £683 16s. 11d.

MR. CRILLY: Arising out of the answer of the hon. Gentleman, may I ask upon what principle a selection is made in the absence of open competition between the surveyors of Dublin; and how it is that these particular surveyors have practically enjoyed a monopoly of the work of these two Boards for the last five years? It would appear that they have received £5,000, while no other Dublin surveyor has obtained more than £800.

*MR. JACKSON: I suppose the reason is that they were surveyors in whom these Boards had confidence. I believe that the practice which has been adopted is the same as that adopted by private firms, namely, to employ men in whom they have confidence.

IRISH SOCIETY AND CITY COMPANIES ESTATES COMMITTEE.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, since the Select Committee appointed last year on the Motion of the Government to inquire into the Charters of the Estates in Ireland of the Irish Society and the City Companies, and as to their trusts and obligations, unanimously,

"Recommended that a Committee upon the same subject should be appointed the next Session of Parliament,"

that Committee will, in accordance with usual practice, be appointed; and if the Government will move for its appointment at a sufficiently early date to allow time for the Committee to arrive at an effective Report?

MR. A. J. BALFOUR: The Government quite recognise what was recommended by the Select Committee last Session, and are willing to enter into an obligation on the subject.

THE CRIMINAL LAW AND PROCEDURE (IRELAND) ACT.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government assent to the continuation Return of persons proceeded against under the Criminal Law and Procedure (Ireland) Act, 1887, on to-day's Paper?

*MR. A. J. BALFOUR: I am rather unwilling to grant the Return as it will cause trouble and expense, and as all the facts appear in the Criminal Statistics. If, however, the hon. Member can privately give me reasons, I will offer no serious objection to the Return.

RICHARD PIGOTT.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether he can now give the respective dates in August and September 1888 upon which the £10 note and the £5 note, which formed part of the remittance received from the late Richard Pigott by his housekeeper on the 23rd February, 1889, were drawn from the Bank by Mr. Soames, and the numbers of such notes; and whether he can ascertain and will state to whom Mr. Soames paid such notes, and on what date or dates?

MR. MATTHEWS: I communicated to the House on February 21 all the information I have on this subject. I have no better means than the hon. Member himself of ascertaining at what dates a solicitor draws money from his bankers or pays it to his witnesses.

MR. COBB: May I ask whether any steps have been taken to trace the notes?

MR. MATTHEWS: I have not traced the notes.

MR. COBB: Have the police traced them?

MR. MATTHEWS: Not that I am aware of.

MR. LABOUCHERE (Northampton): Will the right hon. Gentleman be good enough to make inquiry?

MR. MATTHEWS: I think this is a matter which it is not right for me to inquire into.

MR. LABOUCHERE: Will the right hon. Gentleman ask the police whether, in their investigations, they have discovered when Mr. Soames drew the money?

MR. JESSE COLLINGS (Birmingham, Bordesley): Certainly not.

INSTRUCTION OF IRISH MILITIA OFFICERS.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Secretary of State for War whether complaints have reached him that the result of not holding Schools of Instruction for Militia officers in Ireland for a long time has been injurious to the Service; and whether steps will be taken to have them revived, or to allow officers of the rank of Lieutenant and Captain to be attached to Line regiments, under the same rules laid down for schools as regards pay, &c., so that they may have an opportunity of qualifying for promotion, and be saved from the inconvenience and expense of attending schools outside of Ireland?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The minimum number for a class of instruction is 10 officers; and such a class would be organised at Dublin if there were sufficient applicants. At present, however, there are not. Under the Militia Regulations a subaltern may be

attached to a Line regiment or a regimental district anywhere in the United Kingdom, for which he received the same pay and allowance as if he attended a class of instruction; but this Regulation does not extend to Captains, who only receive these advantages on attending the class. I may, however, remark that the certificate for promotion to Major may be obtained by service with his own regiment without attending a class of instruction at all.

CLONMEL GAOL.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what are the number of baths now available for the use of prisoners in Clonmel Gaol; how long have they been in use; whether any recommendations have been made respecting the existing sanitary arrangements in the gaol in question, and if any improvement or alteration in the system will be carried out; and, if so, when; and if it is the intention of the Prisons Board to sanction the expenditure necessary to secure the improvements requisite and recommended for the repair and ventilation of cells in Clonmel Gaol?

*MR. A. J. BALFOUR: The General Prisons Board report that Clonmel Prison when handed over to them in 1878 contained two baths. Since then two more have been constructed, and four additional ones are in course of construction. The Board have no knowledge of the recommendations referred to in the third paragraph. They state that the ventilation of the cells in this prison has lately been improved by them. They have also made provision in the estimate for next year for other sanitary improvements and alterations in the prison.

DR. TANNER: Is it not the fact that during the whole of last year, when this prison was completely filled, there was only one bath in the main body of the prison, including the hospital, and that the bath in the hospital was seldom, if ever, used? May I also ask whether the defective sanitary arrangements of the prison have not been brought under the notice of the Visitors recently?

*MR. A. J. BALFOUR: I am afraid that I am not in a position to give any further answer to the questions of the hon. Member without notice.

MR. J. O'CONNOR: Is the right hon. Gentleman aware that in the spring of 1882 some 23 or 24 prisoners were removed from Naas and Kilmainham Prisons in consequence of the prevalence of typhoid fever, owing to defective sanitary arrangements?

*MR. A. J. BALFOUR: I was not aware of it, and it has certainly a very distant connection with the question of the hon. Member for Mid Cork (Dr. Tanner).

DR. TANNER: May I ask which side of the prison has been improved; which wing?

*MR. A. J. BALFOUR: The hon. Member must give notice of the question. He enjoys a knowledge of the Irish prisons which I do not possess.

MR. GARDINER, R.M.

DR. TANNER: I beg to ask the Attorney General for Ireland if his attention has been directed to the action of Mr. Gardiner, R.M., at the Cork Police Office, in refusing, on Wednesday, the 12th instant, to dismiss a number of cases in which it was proved the defendants were illegally sued for rates, and granting decrees in the face of admitted irregularities, and in the absence of both defendants and plaintiffs; and whether the Government propose to take any action in the matter?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): I am informed that a complainant appeared in each of the cases in which the Resident Magistrate granted a decree on Wednesday last. Some of the defendants did not appear. The Government do not see anything in the matter calling for action on their part.

THE CASE OF JOHN DALY.

MR. SEXTON: In compliance with the notification which I gave last week, I beg to ask whether the Home Secretary will now lay upon the Table a copy of the Report and evidence relating to the case of the prisoner John Daly?

MR. MATTHEWS: I have not yet received the Report; but in consequence of the question addressed to me last week I have inquired when I may expect to receive it, and have ascertained that the Prison Visitors desire that a certain analysis should be made by the officers of the authorities at Somerset House, and

that the Visitors are awaiting the result of that analysis.

MR. SEXTON: Considering the nature of the allegations, will the right hon. Gentleman be good enough to exert himself in securing a copy of this Report before the Report of the Vote on Account is taken?

MR. MATTHEWS: I have done my best to expedite the Report.

MR. SEXTON: Unless the Report has been presented, I will revert to the question on the Report of the Vote on Account.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am afraid that unless the Report on the Vote on Account is taken to-morrow, many of Her Majesty's servants will have to go without their salaries.

ST. MARTIN'S-LE-GRAND POST OFFICE.

MR. BROADHURST (Nottingham, W): I beg to ask the First Commissioner of Works whether any provision will be made in the contract for the new Post Office buildings in St. Martin's-le-Grand to ensure the observance on the part of the contractor of the rules and customs of the building trade as to working hours and rate of wages, and to prevent sub-letting and piece-work?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): It has never been the practice of the Office of Works to make provision in its contracts to insure the observance on the part of the contractors of the rules and customs of the building trade as to working hours and rate of wages, nor to interfere in any way between the contractor and those employed by him. We prohibit sub-letting, except with the consent of the Board, and we take care to restrict it within legitimate limits. I see no reason for departing from the usual practice in the case of the Post Office at St. Martin's-le-Grand.

THE DUMDUM MURDER.

MR. KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether his attention has been called to a telegram from Calcutta in the *Daily News* of the 17th inst., stating that

"The discharge of the prisoner in the Dumdum murder case is causing much popular indignation, and is called a miscarriage of justice;"

whether the case alluded to is that of a British soldier named Thomas O'Hara, who was tried at the Criminal Sessions of the High Court of Calcutta for the wilful murder of a native named Shaik Soleem, in the Cantonment of Dumdum, and who was sentenced to death on 21st February last; whether he is aware that the presiding Judge, the Hon. Mr. Justice Norris, in passing sentence, declared that "he entirely endorsed and accepted the verdict of the jury," and that the prisoner "had been guilty of about as brutal a murder as ever was perpetrated;" and whether, if this is the case referred to in the *Daily News* telegram, he has any information which would explain the alleged discharge of the prisoner?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): On behalf of my right hon. Friend I have to say that the Secretary of State has seen the telegram in the *Daily News* referred to. The Secretary of State has no official information on the subject; but from the telegrams in the *Times* it seems that the case was brought before the High Court of Calcutta for revision in the ordinary way; that it was argued for four days before the Chief Justice and four other Judges; that the Court took time to consider their judgment, and subsequently held that there had been a misdirection of the jury and an improper admission of evidence; and that the conviction must be quashed and the prisoner discharged.

SIR W. PLOWDEN (Wolverhampton, W.): Will the Secretary of State for India send instructions to the Government of India to have this man put upon his trial again?

*SIR J. FERGUSSON: Well, Sir; I think that before that proceeding is considered it would be as well to be in possession of the Report.

THE DUKE OF CONNAUGHT AND THE BOMBAY DEFENCES.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State has been drawn to the remarks made by His Royal High-

ness the Duke of Connaught recently at Bombay, as reported in the *Times* of Monday last—

"The recent naval manœuvres had proved exactly what he had expected, namely, that the Bombay defences with their present armament were absolutely useless and could not oppose a naval attack. In the absence of Admiral Fremantle's fleet in Zanzibar waters, the naval element of defence was quite useless, because the ships were without crews, and had neither gunners nor firemen to enable them to supply the deficiencies of the land defences."

*SIR J. FERGUSSON: The Secretary of State has seen the telegram in the *Times* purporting to be a report of the remarks attributed to His Royal Highness the Duke of Connaught. Arrangements have been made with the War Office for the supply of new armament, and with the Admiralty, subject to the approval of the Treasury, for manning the floating defences.

THE WEST LONDON COMMERCIAL BANK.

MR. WHITMORE (Chelsea): I beg to ask the Solicitor General whether he is aware that 13 months have elapsed since the last dividend was paid by the liquidator of the West London Commercial Bank, and that the liquidator has now in his hands the sum of £13,000 available for distribution; and, if so, whether any steps can be taken to expedite a further payment to the creditors, and to bring the liquidation as quickly as may be possible to an end?

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I understand that dividends have been paid to the amount of 14s. 6d. by the West London Commercial Bank. It is true that it is a long time since the last dividend was paid. The liquidator was advised to take proceedings against some of the Directors and against the representatives of others, and it is believed those proceedings will result in a large gain to the estate. I am informed there has been no improper delay in the matter.

THE FORTH FISHERMEN.

MR. MUNRO FERGUSON (Leith): I beg to ask the Lord Advocate whether he is aware that great dissatisfaction prevails amongst the Forth fishermen because of the insufficiency of the safeguards afforded to them by the fishery cruiser *Vigilant* within the protected waters; that this vessel not only lies for many consecutive days in port, but is habitually there at night when she should be on the fishing grounds; that she has no practical fisherman on board who could indicate when the depredations of the trawlers can be watched, and is therefore on this account alone almost useless; and whether he will take steps to secure the efficient discharge of the duties for which the *Vigilant* was supplied?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Presumably the question of the hon. Member refers to the *Jackal*. It can have no application to the *Vigilant*, which is stationed on the West Coast of Scotland. The Fishery Board have not received any complaints this year of trawling within the prescribed waters in the Firth of Forth. The *Jackal* lay in Granton Harbour for some time when the crew were on leave for Christmas holidays; but since then she has been on regular duty on the East Coast. She is occasionally in port for a few days from necessary causes; but it is not the case that she is habitually in port at night. There is no fisherman on board; but this is not considered necessary, as the officers and crew are quite familiar with the places frequented by trawlers.

THE LEGACY AND SUCCESSION DUTY OFFICE.

SIR LEWIS PELLY: I beg to ask the Chancellor of the Exchequer whether it is the fact that four clerks of the Lower Division of the Legacy and Succession Duty Office, who were specially nominated for promotion to the Upper Division, and whose promotion was approved of by the Lords of the Treasury and ordered to take effect as from 1st June, 1889, have subsequently had it notified to them that, in consequence of a Treasury Minute dated 31st October, 1889, they are to remain at their present Lower Division salaries without receiving any increment whatever for many years to come, and that the result of their promotion is not only that actual pecuniary loss will occur by reason of the cessation of the increments and other benefits which they would have received had they not been promoted, but that, in the case of three at least of these clerks, no pecuniary benefit whatever will accrue as a consequence of their promotion

during their whole period of 40 years' service; and, if so, whether care will be taken to provide in the forthcoming Order in Council, or otherwise, against any injustice being committed with regard to these gentlemen?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The operation of the Regulation of October, 1889, in certain cases has been before the Treasury, and the matter is at present under consideration.

IMPORTATION OF GRAIN INTO THE SOUDAN.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for Foreign Affairs whether the importation of grain from the Red Sea ports into the Soudan has been till recently prohibited and blockaded; whether, even now, when famine has resulted, this prohibition has not been wholly removed, but only in regard to certain ports; and whether the Soudan, beyond the coast ports held by Egypt, has been really abandoned, or whether efforts have still been made to starve the Soudanese into submission; or, what has been the object of the blockade?

*SIR J. FERGUSSON: There has been no restriction on the grain trade at Suakin for over two years. Trade is allowed at all ports where there are Custom Houses. A special permit is, however, required for Trinkitat. No efforts are being made to starve the Soudanese into submission. The object of the blockade, which no longer exists, was to prevent supplies being sent to the dervishes who are threatening Suakin.

SIR G. CAMPBELL: Do I understand that there is now free trade in corn in regard to the Soudan?

*SIR J. FERGUSSON: Yes; grain can be imported freely.

SIR G. CAMPBELL: Is there any Customs duty upon it?

*SIR J. FERGUSSON: I believe there is no Customs duty upon it.

COLOUR BLINDNESS.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the President of the Board of Trade whether he is aware that much dissatisfaction exists among scientific men as to the sufficiency of the tests now used in the Mercantile Marine for the detection of colour blindness; and whether he will appoint a Committee of Experts to advise the Government on this important question?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am sensible of the importance of this matter, and have been in communication with the Royal Society upon this subject, and I am happy to say that the society has appointed a scientific Committee to consider the whole question of colour blindness.

POSTMEN'S CHRISTMAS BOXES.

CAPTAIN VERNEY (Bucks, N.): I beg to ask the Postmaster General whether the Postal Authorities have made any, and what, arrangements for compensating parcel post men for the loss incurred by them under the Rule prohibiting them from the solicitation of Christmas boxes; whether, in certain cases, 3s. a-week have been given with this object; and how many men in the Parcel Post Department are in receipt of such increased wages in lieu of Christmas boxes?

*MR. RAIKES: As parcel postmen are not, and never have been, allowed either to solicit or to receive Christmas boxes, the question of compensating them for the loss of what, if they should receive, they would receive in spite of prohibition, is one which certainly has not arisen, and which, indeed, I should not have expected to arise. No parcel postmen are in receipt of increased wages in lieu of Christmas boxes.

NEWFOUNDLAND FISHERIES.

MR. THORBURN (Peebles and Selkirk): I beg to ask the Under Secretary of State for Foreign Affairs if the *modus vivendi* arrived at between Her Majesty's Government and the French Government as to the establishment of lobster factories on the so-called Newfoundland French shore was concluded with the concurrence and approval of the Newfoundland Government?

*SIR J. FERGUSSON: The Newfoundland Government was consulted as to the terms of the *modus vivendi*, which was modified to some extent in order to meet their views; but it was necessary to conclude it without referring it to them in its final shape. The arrangement is provisional, and for this season only, and

does not involve any admission by either Government of the claims made by subjects of the other.

THE LOSS OF THE *QUETTA.*

MR. EDMUND ROBERTSON (Dundee): I beg to ask the President of the Board of Trade whether it is intended to hold an inquiry into the circumstances which led to the wreck of the Queensland mail steamer *Quetta* on the night of the 28th February, and also into the cause of the great loss of human life with which it was attended?

*SIR M. HICKS BEACH: The Board of Trade are not in a position to institute an inquiry into the loss of the *Quetta* until they learn whether an inquiry will or will not be held by the Queensland Government, who generally hold inquiries with regard to all wrecks occurring within their jurisdiction. I may add that no official information has yet been received respecting the circumstances of the wreck.

THE WEST AFRICAN SQUADRON.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the First Lord of the Admiralty whether he can state the number of sick men landed from the West African Squadron at Ascension, and treated in hospital there, in either of the two last years?

LORD G. HAMILTON: The number of sick from the West African Squadron and troopships admitted into the hospital at Ascension during the last two years, 1888 and 1889, was respectively 102 and 90.

HOME OFFICE CONTRACTS — THE LEYTON POLICE STATION.

MR. BROADHURST: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the circumstance that the contractor for the new police station at Leyton sub-let that portion of the work known as lathing, and that the laths used by the sub-contractor were of an inferior quality to that stated in the specification; and, if so, what steps he proposes to take in the matter?

MR. MATTHEWS: Yes, Sir; I am informed by the Receiver of Police, who has personally inspected the premises, that the lathing, being a special description of work, has been sub-let and executed under the conditions usual in the building trade—that is, by special men skilled in this branch of work. The laths are in accordance with the specification and of good quality. I have no reason to believe that the contractors are acting otherwise than in a proper manner.

ALLOWANCES OF ADJUTANTS OF VOLUNTEERS.

COLONEL EYRE (Lincoln, Gainsborough): I beg to ask the Financial Secretary of the War Office whether it is a fact that an Army Order has lately been issued reducing the travelling allowances of Adjutants of Volunteers from 5s. to 3s. 6d. for half days beyond a 10 mile radius; and, in such case, what is the reason for the reduction, having regard to the difficulty in obtaining Adjutants for Artillery Volunteers?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): Such an Order has been issued, but it applies to all officers and not only to Volunteer Adjutants. The object of the change has been to make allowances equal to the average expenditure incurred, and while this allowance has been reduced others have been raised; but this is only one among a series of alterations (having a net effect of about £300 a year in favour of the troops) intended to reduce correspondence, simplify accounts, and bring about the abolition of petty stoppages. If my hon. Friend can prove to me that the allowance is not adequate to meet the extra expenditure incurred, I shall be glad to re-consider the matter.

SEVERE SENTENCES.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the following passage in the Charge to the Grand Jury delivered by Mr. Justice Mathew at the Liverpool Assizes on Tuesday last:—

"From the calendar before me I notice persons charged with small offences who have been sentenced to seven years' penal servitude for stealing a coat. Surely such sentences are barbarous and most cruel, and should be stopped . . . . The resources of the law, and its processes of imprisonment, seem to me abundant to deal with such cases, and there is no need for inflicting such terrible punishment;"

whether he is aware that such sentences as the learned Judge condemned are frequently imposed at Quarter Sessions, and whether sentences which seem *primâ facie* unduly severe will be carefully considered by him, with a view to their mitigation?

MR. MATTHEWS: I have not seen the Charge in question, and I cannot say whether the learned Judge is accurately reported. I have already stated in this House that I have no facts before me to justify the suggestion that sentences passed at Quarter Sessions are more severe or vary more than sentences passed at the Assizes. I have always considered on its merits any case in which there was reason to think that the sentence was unduly severe.

VISITORS OF CONVICT PRISONS.

MR. PICKERSGILL: I beg to ask the Secretary of State for the Home Department whether he will state the names of the Visitors of convict prisons; and, if not, upon what grounds he declines to do so?

MR. MATTHEWS: I have no objection whatever to state the names of the Visitors of convict prisons; and I shall be glad to supply a list of them to the hon. Member.

CRETE.

DR. TANNER: I beg to ask the Under Secretary of State for Foreign Affairs whether any intelligence has been received by the Government relative to the attack by gendarmes upon Christians in the province of Messara, in the Island of Crete, on Saturday last; whether it is a fact, as reported in the *Daily News* of 19th instant, the gendarmes, without provocation, fired several times upon four Christians; if it is true, as given, that—

"The next day 30 notables of the village complained to the Commandant of the troops. The Commandant, treating this complaint as seditious, arrested five of them, and imprisoned them in a stable, demanding at the same time large sums of money from four villages of the province. The sum is said to have been so great that had the inhabitants given up all they possessed it would have been insufficient;"

and whether, in the event of the statements proving correct, any remonstrance will be addressed to the Porte with a view to the further continuance of such outrages on Christians?

Mr. Pickersgill

*SIR J. FERGUSSON: No such information has reached Her Majesty's Government.

DR. TANNER: Will the right hon. Gentleman telegraph for information?

*SIR J. FERGUSSON: I do not think it is to be expected that we should telegraph to ascertain the correctness of every statement which may appear in the newspapers.

DR. TANNER: Will the right hon. Gentleman be able to give me the information in the course of a week?

*SIR J. FERGUSSON: That depends upon whether we receive the information the hon. Gentleman requires.

THE CARDIFF TELEGRAPH CLERKS.

MR. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Postmaster General whether he is aware that Alfred Humphries, one of the telegraph officials at Cardiff, was on Tuesday last suspended for acting as secretary of the Telegraph Clerks' Association at Cardiff; and, if not for that reason, will he state why he was suspended; whether the two previous secretaries of the same Associations have lately been removed from Cardiff; and whether it is his intention to remove or suspend all those telegraph officials whom he may discover to be members of similar Associations?

*MR. RAIKES: Mr. Alfred Humphries was on Tuesday last suspended for refusing to obey my orders, conveyed to him through the Postmaster at Cardiff. A more appropriate punishment for this act of insubordination would have been his summary dismissal; but, having regard to the youth and inexperience of the offender, and being anxious to maintain as long as I possibly can the forbearance which I have hitherto exercised in dealing with the Cardiff telegraphists, I have preferred to afford him an opportunity of re-considering his conduct. Mr. Humphries was not suspended for acting as secretary to the Body referred to by the hon. Member. I have no cognisance of any such Association, or its officers. Nor have I taken, nor do I propose to take, any steps against the members of such Associations on account of their membership, though I am compelled to take proper notice of any offences against discipline in the case of the individuals committing them.

THE COMPANIES (WINDING-UP) BILL.

MR. WARMINGTON (Monmouth, W.): I beg to ask the President of the Board of Trade when the Government will be able to lay upon the Table the Amendments they propose to move in Committee on the Companies (Winding-up) Bill; and whether, if such Amendments are numerous, the Government will reprint the Bill, showing the Amendments proposed to be introduced?

*SIR M. HICKS BEACH: It is not my intention to propose any Amendments to the Companies (Winding-up) Bill; but I do propose to circulate a Paper for the consideration of the Members of the Standing Committee on Trade, showing the alterations and repeals which are proposed to be effected in the existing law by the Bill, so that the Standing Committee may have the opportunity of clearly seeing the effect of the Bill and of adding to it any clauses they may deem necessary.

METROPOLITAN VOLUNTEER REGIMENTS.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary of State for War whether it is a fact that, in order to receive the necessary certificate to enable officers commanding Metropolitan Volunteer Regiments to obtain the sum allotted to them by the late Lord Mayor's Volunteer Patriotic Fund, they have to pay out of the funds of the regiment a fee to the Government viewer, without whose certificate the amount from the fund will not be paid to the regiment; and whether he can see his way to remit this fee?

*MR. E. STANHOPE: The viewer in question is not a Government viewer. But I think it will be much the simplest way for the certificate to be given by a Government viewer, and in that case, of course, no fee will be charged. I have given directions for this to be done.

THE SWEATING SYSTEM.

MR. BROOKE ROBINSON (Dudley): I beg to ask the First Lord of the Treasury whether he is in a position to form any opinion when it is probable the Report of the Committee of the House of Lords on the Sweating System will be presented to Parliament?

*MR. W. H. SMITH: I am not in a position to give any pledge with regard to a Committee which was appointed in another place; but I have reason to believe that the Committee have their Report under consideration, and that it will, undoubtedly, be presented within the present Session.

THE BERLIN CONFERENCE.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the First Lord of the Treasury whether he can state if the French Government, or any other Government represented at the Berlin Conference, has divided its Representatives into two classes, Plenipotentiaries and Delegates; why Her Majesty's Government has made such a distinction; and whether the Plenipotentiaries and Delegates possess equal power and authority at the Conference, and will be treated as equals in regard to their expenses?

*MR. W. H. SMITH: It will be seen from the official list of the members of the Labour Conference that the French and Italian Governments have divided their Representatives into two classes. They are styled *délégués* and *délégués adjoints* respectively. It would seem that the Plenipotentiaries and expert Delegates will not possess equal power and authority at the Conference. The expert Delegates attend to furnish information from their special knowledge. Both the Plenipotentiaries and the Delegates will be reimbursed for their necessary outlay.

SWAZILAND.

MR. MUNRO FERGUSON: I beg to ask the First Lord of the Treasury whether he is aware that under Article 2 of the Convention of 1884 Her Majesty's Government has the right to place a British Commissioner in Swaziland "to maintain order and prevent encroachments"?

*MR. W. H. SMITH: Her Majesty's Government have been careful to ascertain precisely their legal position under the Convention in regard to intervention in Swaziland, and have been advised that it would not be competent for Her Majesty, without a breach of Article 12 of the Convention, to take Swaziland under her protection in the recognised meaning of that expression; but Her

Majesty's Government can, of course, exercise the powers of Article 2 of the Convention, which includes the appointing of Commissioners to maintain order. It will be seen that the establishment of a protectorate involves the assumption of administrative control, which could not be exercised by Commissioners appointed under Article 2 of the Convention.

RIGHTS OF WAY IN SCOTLAND.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the First Lord of the Treasury when Her Majesty's Government will announce what action they intend to take with a view to carry into effect the Resolution of the House of 18th March relating to Rights of Way in Scotland?

*MR. W. H. SMITH: The subject is one that will be again considered by Her Majesty's Government with a view of seeing whether it is possible for them to make any proposals to the House.

WEDNESDAY SITTINGS OF THE HOUSE.

SIR W. PLOWDEN: I wish to draw your attention, Sir, to the circumstances that have attended the meetings of the House on the last three Wednesdays, and to the delay and waste of time that have occurred before a House could be made, especially yesterday. I wish to know whether, having regard to the waste of time involved, the seeming disrespect to the Chair, and the inconvenience suffered by hon. Members who were detained in the House until a quorum was made, it is not in your power, Sir, to take some special action with the object of doing away with, or at any rate diminishing, the evil?

*MR. SPEAKER: I know that Members of the House have been put to great inconvenience on the three last Wednesdays. On two of the occasions referred to the House was not made technically until 1 o'clock. I have considered myself whether I might leave the Chair at the Table until a House can be made, but I have thought it unfair that I should have the opportunity of going out of the House whilst Members are detained. Possibly if I had gone out, and allowed the Members who were present to go out too, they might not have been willing to return, so that there would have been additional delay in making a House. On a Wednesday the House cannot be counted out until 4 o'clock. I believe that rule has arisen from the practice of allowing new Members to take their seats up to 4 o'clock. It is an old practice of the House, but if the House likes to alter the practice it can do so by Resolution. There are two alternative courses which I might take, subject to the approval of the House. I might not come into the House until I had been informed by the proper authority that there was a sufficient quorum in the Lobby, or, when a quorum is not formed by half-past 12 o'clock, I might leave the Chair for a quarter of an hour in the hope that a House might be made in that time. There is undoubtedly a certain amount of discredit attached to the spectacle of 20 or 30 Members being retained compulsorily in the House for so long a time as they were retained yesterday, when a quorum was not made until after 1 o'clock.

MR. A. O'CONNOR: May I ask whether, on Wednesdays, you, Sir, have not the authority to require the presence in the House itself of every Member who may be within the precincts—Members, for example, in attendance on Committees.

*MR. SPEAKER: Undoubtedly it was the ancient practice for the Serjeant-at-Arms to go into Westminster Hall and require the attendance of any Members who might be there. The hon. Member is probably aware that Committees do not often sit on Wednesdays. At the outside there might be 20 Members in the Committee Rooms upstairs on a Wednesday, but these might certainly assist in making a quorum.

THE EASTER RECESS.

MR. SEXTON: May I ask the First Lord of the Treasury whether any understanding has been come to as to when the Easter Recess is to begin and end?

*MR. W. H. SMITH: I am not in a position to say precisely. The hon. Member must know that there is a certain amount of business which must be disposed of first. The Government propose to introduce the Irish Land Bill on Monday, and the Tithe Bill will have to be read a second time before the Government can decide on the date of the Easter Recess.

PUBLIC PETITIONS COMMITTEE.

Fourth Report brought up, and read; to lie upon the Table, and to be printed.

POST OFFICE SAVINGS BANKS.

Return ordered—

"Arranged according to Counties, showing the number of accounts of Depositors in Post Office Savings Banks in the United Kingdom remaining open on the 31st day of December, 1889, together with the amount, inclusive of interest, standing to the credit of those accounts" (in continuation of Parliamentary Paper, No. 177, of Session 1889).—(*Mr. Whitley.*)

NEW MEMBER SWORN.

George Granville Leveson Gower, Esquire, for Stoke-upon-Trent.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to amend 'The Indian Councils Act, 1861.'" [Indian Councils Bill [*Lords.*]

CROWN OFFICE BILL [LORDS].

(No. 173.)

Considered in Committee, and reported, without amendment; read the third time, and passed, without amendment.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, 1889-90.

Considered in Committee.

(In the Committee.)

1. £8,052 6s. 3d., Civil Service (Excesses).

MR. J. O'CONNOR: As Supply is the second and not the first Order of the Day, I desire to know if I was not in order in endeavouring to draw the attention of the Chief Secretary for Ireland to certain irregularities on the part of the Government, and which I intended to bring before the House while Mr. Speaker was in the Chair?

THE CHAIRMAN: That would not be regular now, in accordance with the Standing Order, although it was formerly the case.

MR. LABOUCHERE (Northampton): Is it not the fact that the Standing Order only requires Mr. Speaker to leave the Chair without question put when Supply is set down as the first Order? This is the second Order.

THE CHAIRMAN: As I have said, that was formerly the practice; but the Standing Order was amended about three years ago, and that condition was left out.

Vote agreed to.

VOTE ON ACCOUNT.

Motion made, and Question proposed,

"That a sum, not exceeding £3,725,103, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1891, viz.:—

CIVIL SERVICES.

CLASS I.

	£
Royal Palaces and Marlborough House	5,000
Royal Parks and Pleasure Gardens ..	12,000
Public Buildings, Great Britain ..	30,000
Admiralty, Extension of Buildings ..	4,000
Miscellaneous Legal Buildings, Great Britain	8,000
Art and Science Buildings, Great Britain	6,000
Diplomatic and Consular Buildings	7,000
Revenue Department Buildings ..	56,000
Surveys of the United Kingdom ..	40,000
Harbours, &c. under Board of Trade, and Lighthouses abroad	3,000
Peterhead Harbour	5,000
Caledonian Canal	1,000
Rates on Government Property (Great Britain and Ireland)	83,000
Public Works and Buildings, Ireland	60,000

CLASS II.

United Kingdom and England:—	
House of Lords, Offices	6,000
House of Commons, Offices	6,000
Treasury and Subordinates Departments	15,000
Home Office and Subordinate Departments	15,000
Foreign Office	10,000
Colonial Office	6,000
Privy Council Office and Subordinate Departments	2,500
Board of Trade and Subordinate Departments	27,000
Bankruptcy Department of the Board of Trade	3
Board of Agriculture	6,000
Charity Commission	6,000
Civil Service Commission	7,000
Exchequer and Audit Department ..	10,000
Friendly Societies, Registry ..	1,500
Local Government Board	27,000
Lunacy Commission	2,000
Mercantile Marine Funds Grant in Aid	— —
Mint (including Coinage)	20,000
National Debt Office	2,500
Public Works Loan Commission ..	1,500
Record Office	4,000
Registrar General's Office	8,000
Stationery Office and Printing ..	70,000
Woods, Forests, &c., Office of ..	6,000
Works and Public Buildings, Office of	8,000
Secret Service	6,000

Scotland :—	
Secretary for Scotland	2,000
Fishery Board	4,000
Lunacy Commission	1,200
Registrar General's Office	1,000
Board of Supervision	1,500
Ireland :—	
Lord Lieutenant and Chief Secretary	8,000
Charitable Donations and Bequests Office	400
Local Government Board	15,000
Public Works Office	10,000
Record Office	1,000
Registrar General's Office	3,000
Valuation and Boundary Survey ..	6,000

CLASS III.

United Kingdom and England :—	
Law Charges	12,000
Miscellaneous Legal Expenses ..	8,000
Supreme Court of Judicature and Land Registry	65,000
County Courts	20,000
Police Courts (London and Sheerness)	3,000
Police, England and Wales ..	10,000
Prisons, England and the Colonies ..	110,000
Reformatory and Industrial Schools, Great Britain	80,000
Broadmoor Criminal Lunatic Asylum	6,000
Scotland :—	
Lord Advocate, and Law Charges and Courts of Law	10,000
Register House	6,000
Crofters' Commission	1,500
Prisons, Scotland	15,000
Ireland :—	
Law Charges and Criminal Prosecutions	15,000
Supreme Court of Judicature, and other Legal Departments	20,000
Land Commission	20,000
County Court Officers, &c.	18,000
Dublin Metropolitan Police, &c. ..	20,000
Constabulary	300,000
Prisons, Ireland	20,000
Reformatory and Industrial Schools ..	30,000
Dundrum Criminal Lunatic Asylum ..	1,500

CLASS IV.

United Kingdom and England :—	
Public Education, England and Wales	800,000
Science and Art Department, United Kingdom	45,000
British Museum	27,000
National Gallery	3,000
National Portrait Gallery	600
Learned Societies, United Kingdom ..	7,000
Universities and Colleges, Great Britain	10,000
London University	3,000
Scotland :—	
Public Education	160,000
National Gallery	400
Ireland :—	
Public Education	200,000
Endowed Schools Commissioners ..	200
National Gallery	300
Queen's Colleges	500

CLASS V.

Diplomatic Services and Consular Services	100,000
Slave Trade Services	8,500
Colonial Services, including South Africa	28,000
Cyprus, Grant in Aid	— —
Subsidies to Telegraph Companies, &c.	16,000

CLASS VI.

Superannuation and Retired Allowances	120,000
Merchant Seamen's Fund Pensions, &c.	1,000
Friendly Societies Deficiency ..	— —
Miscellaneous Charitable and other Allowances, Great Britain ..	500
Pauper Lunatics, Ireland	70,000
Hospitals and Charities, Ireland. ..	4,000

CLASS VII.

Temporary Commissions	9,000
Miscellaneous Expenses	4,000
Total for Civil Services	£3,055,103

REVENUE DEPARTMENTS.

Customs	100,000
Inland Revenue	100,000
Post Office	100,000
Post Office Packet Service	20,000
Post Office Telegraphs	350,000
Total for Revenue Departments	£670,000
Grand Total	£3,725,103

HOLYHEAD BREAKWATER.

*(4.25.) CAPTAIN VERNEY : I desire to bring before the Committee the expenditure in connection with the repair of the breakwater at Holyhead Harbour. That breakwater has an elbow which points inwards towards the land instead of outwards. I believe that upwards of £2,000,000 have been spent in making a harbour of refuge at Holyhead, and in erecting Holyhead Breakwater. A railway was laid down ostensibly to supply stone for the edge of the breakwater, in order to prevent it from being washed away by gales of wind. For upwards of two years the constant repair of the breakwater has been given up, the rails have been removed and sold, and the breakwater has been left to the mercy of the wind and waves. Two years ago a deputation waited upon the President of the Board of Trade, and told him that, notwithstanding the manner in which the breakwater was suffering, no steps were being taken to repair the damage which

was being done. Quite lately a large piece of the breakwater was swept away, and grievous damage has been done which might have been prevented if the usual repairs had been continued from year to year. Exactly at the point where the elbow of the breakwater is nearest the land are some rocks, called the Platters Rocks, and inside this point an area of something like 250 acres is not available for the harbour of refuge. The question of removing these rocks has been brought before the Government on various occasions, and has always met with a sympathetic reception. The President of the Board of Trade received a deputation on the subject in 1888, when he said that he would be glad to see the rocks removed if any arrangement could be made to bring about the desirable result. As the breakwater had been constructed at great expense, and the rocks still remained in the middle of the harbour, the right hon. Gentleman said it only stood to reason that it would be a great public benefit if the whole of the harbour could be utilised. This is in no sense a Party question, but is one in which a friendly interest has been expressed by both sides of the House. Nothing but the difficulty of finding the money has prevented these Platters rocks from being removed. With a south-west wind vessels entering are placed in a difficult position, as they cannot beat up past these rocks into the inner harbour. They anchor in the outer harbour, where they are sheltered from the S.W.; but when, as was often the case, the wind veered to W.N.W. and N. then there was a tremendous sea running into the harbour, and ships in the outer harbour were in circumstances of great danger. A few years ago there were as many as 20 ships stranded in Holyhead Harbour in the gale which had worked round to the northward, and there was a considerable loss of life. The existence of the rocks also renders it difficult for the ordinary traffic to pass and repass. Steamers navigating between Ireland and Holyhead are constantly in danger from the large ships which are anchored there. It is said that something like £200,000 would be required to remove the Platters rocks; and, if ever they are to be removed, I think the present moment affords an excellent opportunity; first, because we are given to understand that there are large sums of money in the Treasury which nobody knows what to do with, and which might be readily devoted to a work of this kind. We are not likely soon to have such a surplus again; and there is this further reason, that if the rocks are blown up, they will be available for the much needed repair of the breakwater. I hope the right hon. Gentleman the President of the Board of Trade will be able to give some encouragement to the people of the Island of Anglesey, whose harbour has for so many years suffered from the existence of the Platters Rocks. I hope the President of the Board of Trade will see his way to give some encouragement to the great desire we have to see the rocks removed.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): The hon. and gallant Gentleman did not give me notice that he intended to bring this subject forward, and I was not present when he commenced his speech, but I understand he complained that there was some neglect with regard to the repair of the breakwater at Holyhead for some years, and that owing to that neglect the storm had had serious effect upon the break-water. I cannot express an opinion which carries with it any real authority on the subject; but I think the Votes of this House will show during the past few years that considerable sums of money have constantly been expended in the repair of the breakwater, and from my own knowledge I can say that in the earlier part of last autumn, when I myself visited Holyhead, very considerable sums were being expended partly on the breakwater and partly also on the jetty. A good deal of money has also been expended in recent times in stretching chains along the breakwater for the purpose of protecting it from the sea. I think the hon. and gallant Gentleman will admit that the storm of last year was a storm of exceptional severity. It did great damage to the breakwater, and it was followed by such a continuance of rough weather that it was not possible to repair the damage as rapidly as was desired. With regard to the Platters rocks, looking at the cost—amounting to no less than a quarter of a million—which a competent engineer

has reported to be the sum necessary to remove the rocks, I was for a long time of opinion that it was out of the question to remove them. I do not think the improvement in the harbour that would be effected by the removal of the rocks would be quite so great as the hon. Member supposes, because it is obvious that though their removal would enable ships to get into the inner part of the harbour, yet the area now occupied by the rocks could never be good holding ground as anchorage for ships. The estimate of a quarter of a million was made on the assumption that the rocks were to be removed to a depth of 25 feet. When I was at Holyhead I noticed that the ships using the harbour appeared to be of a very much smaller character than I had previously supposed, and, on inquiry, I found that this was not only the case at that time, but was generally so. Under these circumstances it occurred to me that much good might be done by removing the rocks, say to a depth of 12 or 15 feet, and I directed the Admiral Superintendent at the port to take during the winter months records of the draughts of water of all vessels using the harbour of refuge, so that after six months' experience we might know what good would be done by the removal of the rocks to a depth of 12 or 15 feet. I shall soon have the Return I asked for, and I shall be very glad if the result of the information thus obtained enables me to make some proposition to the Treasury that will render the harbour more useful to the Merchant Navy than it is at present.

*(4.36.) CAPTAIN VERNEY: I would point out to the right hon. Gentleman that the Estimate to which he has referred was made some years ago, and that with the very improved machinery now in use it is believed the work could be done much more cheaply. The right hon. Gentleman knows that to remove the rocks to a depth of 20 feet, according to the original Estimate, would only cost £60,000, and it is believed it could now be done for less than that. I hope, therefore, the right hon. Gentleman will be able to see his way to do something for us.

LONDON PAROCHIAL CHARITIES.

*(4.37.) MR. BRYCE (Aberdeen, S.): I desire to call attention to the schemes which have lately been published, and are now passing through their regular statutory course for the better application of the Parochial Charities of the City of London. After three years of controversy an Act was passed in 1883 empowering the Charity Commissioners to inquire into the Parochial Charities of the City, and to prepare schemes for dealing with them in the future. The Commissioners were directed to divide the property into that which should appear to have been intended for ecclesiastical purposes, and that which was properly applicable to general charitable purposes, and they were also to make some slightly different provisions with regard to the property in the inner parishes of the city, where the population was then comparatively large, though it has since very largely declined. I believe it is within the knowledge of the Committee that the Commissioners have now practically concluded their work. They have issued their Reports and prepared a number of schemes—one of those schemes is now before the Education Department, and several others—I think at least 8 or 10—have been published and are ready to go before the Education Department in due course. It has been found that the total income available for charity purposes and ecclesiastical purposes under the Act is no less than £118,000, a sum which is susceptible of further increase, as leases fall in and property rises in value. Of this amount, at least £80,000 has been reported by the Commissioners to be applicable to general charity purposes, and about £37,000 to ecclesiastical purposes. There has been a little dissatisfaction in some quarters with regard to the schemes and the machinery by which they have been formulated. It has been thought that there was not sufficient knowledge among the inhabitants of London of the procedure of the Commissioners, and that there ought to be some further opportunity afforded of bringing these matters before the inhabitants of London, and enabling them to express an opinion on the application of this immense sum of money in which they are so deeply interested. I do not believe that the feeling of dissatisfaction which exists relates to the scheme as a whole; but there certainly are some matters with regard to which a little more information and discussion would be desirable. The Commissioners are clearly not to be blamed with

regard to several points I shall presently mention, because they are undoubtedly matters respecting which the Commissioners were bound by the letter of the Act of 1883. I may say, in passing, that the Act of 1883 like many hotly-contested measures, embodied a compromise, and did not in all respects embody in its final form the views of those who brought it forward. The points on which complaint has been made are these:—In the first place the new governing body which is to have control of the central charity fund is to have upon it four representatives of the City Corporation. When the Act was passed the County Council did not exist, and it was considered thst the Corporation was the only body which practically represented London, and which could be entrusted with the appointment of Members. I do not think, however, that the City ought in these days to have that large proportion of Members. In the next place, five parishes are to be treated on a somewhat different plan from the remaining City parishes. The funds belonging to those five parishes amount in the aggregate to about £25,000 a year, and are directed to be spent entirely within the parishes. It is worth considering whether the restriction thus provided for in 1883 can now be upheld, and whether it might not be advisable that the surplus funds of those parishes should be made applicable for the benefit of the whole Metropolis. In the third place the Act of 1883 gave the Commissioners directions with regard to the application of the Ecclesiastical Fund which have involved much heavier expenditure than I believe was then contemplated. The great bulk of the ecclesiastical property is proposed by the Commissioners to be left in the City of London for the carrying on of church services and the maintenance of churches. It is well known that the population of the City now is very greatly reduced and is constantly diminishing, that the services in most of the City churches are performed to empty pews, and nothing could be of more benefit to the Church of England in London than to devote a considerable portion of the funds now applicable to City churches to church purposes in different parts of the Metropolis. I will ask the Government whether, under these circumstances, they do not consider that a case has been made out for the reconsideration of the scheme on these three points. It has been suggested that there should be an amending Bill, no other method of dealing with the matter being possible. One does not like to ask the Government to promise any further legislation beyond the somewhat ambitious programme which they laid down at the beginning of the Session, but if the Government would take the matter up they would find it easy to pass an amending Bill dealing with all or some of the matters to which I have referred. Such a measure, if backed up by their influence, would probably pass with little or no opposition. If any points of serious controversy arose upon it it could be sent to a Select Committee, where the questions in dispute could be adequately considered. So much for the points on which the Commissioners are powerless because bound by the words of the Act. Now let me pass on to the schemes the Commissioners have framed, which have given rise to discussion and complaint. The Commissioners originally allowed the County Council only two representatives on the new Governing Body, and left out the School Board altogether. I understand that it is now their intention to give the County Council four representatives and the School Board two, and probably that may be an adequate representation for the two bodies. But there are other details in the constitution of the new Governing Body, such as the members given to the University of London, in which the scheme might with advantage be re-considered. Out of a total income of £80,000, which turns out to be applicable to charitable purposes, only about £3,500 will at present come under the direction of the new Governing Body, to be disposed of at their discretion. Now, that seems to be an extremely small sum out of these large funds with which to endow the new Governing Body, which is to be the Central Charity Authority for the whole Metropolis. If it is desired to induce men of mark, who enjoy the confidence of the citizens, to serve on the new body, something more than the control of a small sum of £3,500 a year should be given them. But even if it were doubled and £7,000 or £8,000 a year were given that would be a very small charitable fund to set apart to answer all the demands which

the changing conditions of our life and time may bring to light. We have come into the possesion of what may be called an extraordinary charitable windfall. Is it fitting to use up all this income of £80,000 a year for the purposes which happen to recommend themselves to us at the moment, and not to leave any large sums to answer the needs of the future, and to expect that those who will come after us will find other friends to satisfy the various charitable purposes which have not arisen in our horizon, but which may seem to them of great utility? I therefore suggest whether the scheme might not be so far modified as to leave a somewhat larger sum at the disposal of the new Governing Body for the future. Then, with regard to polytechnics, I find it is proposed to devote large amounts to various institutions of the kind. Regent Street Polytechnic is to have £4,000 a year, the People's Palace at Mile End £3,500, the City Polytechnic £5,350, the Borough Road and Battersea Park Polytechnics £2,500 each, and the Chelsea Polytechnic £1,500. A polytechnic, I may explain, is an institution primarily for promoting technical education, and secondly for providing a library and lecture rooms and certain kinds of recreation. The Regent Street Polytechnic is an excellent institution and does a great deal of good, and so also does the People's Palace at Mile End. There is no one but feels that this has been a new departure of the utmost possible interest in our London life, and that it deserves all the support that the House can give it. But we are asked, in addition to the large grants made to the two existing institutions, to sanction grants of money for polytechnics in the City, in the Borough Road, at Battersea, and at Chelsea, and be it remembered that none of these institutions have yet been called into being. They will be experiments. I do not say that such experiments are not worth trying, but experiments they are, and we should be going upon sounder data if we had enjoyed longer experience of such institutions as the People's Palace at Mile End. I would, therefore, suggest that some of the money should be reserved for a time, and should revert to other purposes if it is found that the polytechnic experiment does not succeed. It may be said that considerable sums have been promised on the faith that these institutions will be established, and valuable pieces of land given on which to erect the buildings. No doubt public-spirited men, and *quasi*-public bodies such as the City Companies, have offered money, and in these cases it may be well to go on; but then we ought to take care in framing the schemes to provide for diverting the money should the polytechnics not be found to answer the expectations formed of them. It would be a great pity if these funds were to be tied up to this particular application. It may, perhaps, also be remarked that technical education is not one of those purposes to which it is so important to devote charitable money as some others, for there is another source from which we may hope to find the means of promoting technical education—I mean the funds of the City Companies. It can hardly be doubted that the process which these companies has begun as volunteers will be followed up, and that, before many years are past, we shall see many of the City Companies' funds devoted to technical education. I beg hon. Members to remember how important it is that we should take this opportunity of doing what we can to help the very poor. The difficulty is to prevent that which has been intended for the poor from falling into the hands of the better-off classes. Libraries, reading-rooms, lectures are chiefly serviceable to what are called the lower middle class, but there are many objects for which it is difficult to raise money by voluntary contributions which are very important to the poor—such as recreation grounds, public baths and washhouses, and convalescent homes. Institutions of that kind are more calculated to help the poor than institutions for technical and secondary education; and whatever the application may be, I hope we shall remember that we have now an opportunity without precedent in the past, and which may never occur again, of applying some of the funds to the brightening and sweetening of the lives of those who have the greatest claim upon our sympathy. And now it only remains for me to bring my remarks to a practical conclusion by making a suggestion to the Government as to the course they should follow. I have suggested that if it is thought that the

points on which the Commissioners are bound by the Act of 1883 deserve to be re-considered in 1890, the only way would be to pass an amending Act, so that the points dealt with by the Commissioners in their scheme are matters that may or may not come before us. Under the provisions of the Act, a scheme can only be brought before the House after a Petition has been presented calling attention to it, and no one can tell whether or not such a Petition will be presented. Anyone who has followed the discussions in the public Press and in the County Council is aware that there is a considerable amount of latent discontent with regard to the method in which schemes are passed. It is felt that they ought to receive more discussion and more publicity than are customary; and it is therefore, perhaps, to be regretted that the Act does not provide for bringing all the schemes before the notice of the House. I therefore desire to suggest to the Government that they should present to the House, in the form of a Parliamentary Paper, any information in addition to that contained in the Report of the Charity Commissioners last year, and in addition to that which we may expect in the forthcoming Report, so as to help the House to arrive at a due comprehension of their data and the motives underlying their propositions. Then, as to existing Polytechnics, information should be forthcoming in order to enable us to judge how far they are in a solvent condition, and how far the experiments which have been tried encourage the hope that the much larger experiment now proposed to be tried will be successful. Further, I would suggest to the Government whether it might not be desirable to appoint a Select Committee to consider these schemes and take evidence on the matter, to examine the Commissioners and other persons, and to give an opportunity for any complaint which may exist being brought out and fairly dealt with by the Commissioners and by the Committee. The public would then recognise that a large step is taken only under due safeguards in the wisest way and with the best results. I have brought forward this subject in no spirit of hostility to the Commissioners. It is, I trust, generally felt that those gentlemen have discharged their duties with great assiduity, with great ability, and with great regard to the public interest. This is only what we should have expected from such persons as Sir Henry Longley and Mr. Anstie, but it is a pleasure to one who remembers the opposition made to the entrusting these duties to them, to perceive how well they have justified the trust. The people of London owe no small debt of gratitude to them for the manner in which they have fulfilled their functions.

*(5.5.) MR. O. V. MORGAN (Battersea): The House is greatly indebted to my hon. Friend for the work he has done in connection with these matters in the past, but I am not quite certain that any representative of the poorer divisions of London would have made such a speech decrying Polytechnics. I wish to say a few words on behalf of Battersea, where it is proposed to establish a Polytechnic for the united parishes of Battersea, Wandsworth, and Clapham, containing a population of a quarter of a million, most of whom belong to the comparatively poor class. Now, Battersea has been promised an annual endowment of £2,500 for a Polytechnic if a sum of £60,000 is collected. Great efforts have been made, and £48,000 has already been collected. Certain moneys have been paid on account of land in the Battersea Park Road, and no scheme of improvement has been brought before the people in this district which has evoked so much interest as the Polytechnic Institute. It will be situated close to the railway stations and tram terminals; and although we have at the present time in Battersea a Free Library, we hope to found, in connection with the Polytechnic, a library containing a valuable collection of books bearing upon technical matters. Then I attach also very great importance to the recreative side of these institutions. At Battersea there are very few places of public amusement; there is no theatre, but there are one or two music halls, and I believe that if recreation is provided at the Institute, it will largely draw people from the public houses. I shall protest as long as I can against Battersea being deprived of a single shilling which has been promised to it.

(5.9.) MR. WHITMORE (Chelsea): I certainly have not had the privilege of taking part in any movement in which I have found a more genuine sympathy among all classes than that for establishing

Polytechnics in London. Remember that enormous difficulties have to be overcome. Take the case of the Polytechnic proposed for the South-West of London. In that case £50,000 is to be subscribed in order to get a grant from the Commission. Already £32,000 has been collected, and at the present time a house-to-house canvass is being organised in order to raise the balance. The leaders of the local Trades Unions in Chelsea have come forward with the greatest alacrity and zeal in order to help us. I hope that the House will stand by the proposal of the Commissioners, who have drawn out a comprehensive scheme for the whole of London, and although no doubt the experiment is a very large one, we must remember that the institutions established in the East of London and in Regent Street have proved successful. I trust that when the Polytechnics are started care will be taken to see that the Local Managing Body is a thoroughly representative one. An effort must also be made to connect with the Polytechnics men who have made up their minds to see such institutions successful. I hope the House will unite in enabling the scheme of the Commissioners to be carried to a successful issue.

(5.12.) MR. SHAW LEFEVRE (Bradford, Central): My hon. Friend in bringing this matter forward spoke in no sense of hostility to Polytechnics; on the contrary, his speech took a favourable view in that direction. I understood him to say that we were embarking on behalf of London in a scheme of great magnitude, involving many points of considerable doubt; and that, assuming that it was desirable to establish these Polytechnics, it was essential that in the scheme clauses should be specially inserted directing that they shall be made available for the working classes of the Metropolis. What many of us are afraid of is that they will drift into the use of persons for whom they are not mainly intended. But the schemes of the Commissioners are not confined to Polytechnics. It is proposed to establish two Public Libraries in the City of London, but I think it is a matter of doubtful expediency whether so great an outlay should be undertaken for the benefit of so small a section of the people of London. I think that the money proposed to be devoted to that purpose should be left in the hands of the Trustees of the City of London Parochial Charities, and be devoted for the benefit generally of the people of London. I was the Chairman of the Committee to which the Bill dealing with these matters was referred a few days ago, and I was under the impression that the intention of the Committee and of those who were interested in the Bill was that a large proportion of the money was to be left at the disposal of the Trustees. The schemes of the Commissioners, however, practically dispose of almost the whole of it; the sum left to be used at the discretion of the Trustees is hardly worth considering, and I should be glad to see a large amount placed at their disposal. I am also not satisfied that it was not the intention of the Committee that a larger sum should be appropriated to recreational purposes. There is nothing in which the public of the Metropolis are more interested than open spaces, and if money were expended in providing such spaces in the poorest parts of London the people would unquestionably derive great advantage from the outlay. Therefore, I am sorry a larger proportion of the money is not to be devoted to that purpose. Surely, whatever may be the value of the scheme as a whole, it may be revised in the direction I have suggested. We might get rid of the part referring to the establishment of Public Libraries in the City, and thus place a larger amount at the discretion of the Trustees, who would be able then to devote an increased sum for the purposes of recreation. We do not feel any hostility to the scheme of Polytechnics; all we desire is that the use of those institutions shall be secured to the working classes of the Metropolis. I hope the Vice President of the Council will adopt the suggestion of my hon. Friend the Member for Aberdeen, and agree to lay before the public more detailed information which is probably in the possession of the Charity Commissioners as to existing schemes. I also hope that he will agree to the appointment of a Select Committee to consider and take evidence upon the whole scheme.

*(5.19.) MR. W. R. CREMER (Shoreditch, Haggerston): Within the last year or two it has been my

privilege more than once to accompany deputations which have waited upon the Charity Commissioners, and I desire to express my sense of the uniform courtesy and patience which the Commissioners have displayed on those occasions. I believe that those gentlemen discharge their duties with what they conceive to be a due regard to the interests of the people and in a high-minded and conscientious manner. But, at the same time, I agree with the hon. Member for Aberdeen that more consideration ought to have been shown in these schemes for the physical recreation of the people; and, if it had been possible, to have referred the matter to a Hybrid Committee consisting of some of the Charity Commissioners, some practical Members of the House of Commons, and certain members of the County Council, a scheme could, I believe, have been drawn up that would have met with the almost universal approval of the people of London. I think the Commissioners should have devoted more of the money at their disposal to the provision of playgrounds and gymnasiums in the poorer parts of London. Funds might also have been appropriated for providing free baths and washhouses, which would be a great boon to enormous and poor districts like Haggerston and Hoxton, where there is not a single public bath or washhouse. I hope the right hon. Gentleman will give serious consideration to the valuable proposals of the hon. Member for Aberdeen. I think it is not too late now to vary the schemes; and I am sure, from what I have seen of the general desire of the Charity Commissioners to do that which is most beneficial for the people of London, they will only be too glad to have associated with them a few practical men from this House to assist in the revision of the scheme. Although the appointment of a Hybrid Committee would be without precedent, I feel confident that if the experiment were tried the results would be perfectly satisfactory to the majority of the people.

*(5.25.) The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): I am quite certain that no member of the Committee will be disposed to quarrel either with the manner or matter of the hon. Member for Aberdeen, and although I may not be able to accede to the requests of the hon. Member, I do hope to be able to satisfy him upon the important point that those upon whom is cast the duty of preparing these schemes feel very deeply the responsibility under which they labour and desire to take advantage of every suggestion that could enable them arrive at a satisfactory and a useful result. The hon. Member naturally takes a paternal interest in the result of the legislation in which he took so prominent a part, for he was the author of the Act of 1883, and it is perfectly natural that he should be anxious with regard to the success of it. He, therefore, has every excuse for alluding to the question. As to the hon. Member's first suggestion, I shall be glad to take every opportunity of making the details of these schemes known to the public and of publishing all information I possess in connection with them. But may I also venture to throw out this consideration: that the very fact of this discussion having taken place in this House will be of much service in making the circumstances connected with these schemes known to the public? I must, however, remind the hon. Member that these schemes are drawn up upon lines that render the whole proposal dependent upon voluntary contribution, and that, if the carrying out of the schemes is to be materially delayed, the voluntary contributions may drop off and the whole of the schemes might fall through. When hon. Members realise that danger I think they will agree that we ought not willingly to allow any element of delay to enter into the application of the money to these purposes. Now, Sir, the hon. Member for Aberdeen further discussed the merits and demerits of the Polytechnics which this scheme proposes to set up. It is true he did not condemn the proposal; but he urged that some of the money might be applied to other purposes, and he threw out some hint of the danger of non-success. I admit that there is something in his suggestion that where such an enormous amount of money is involved, it would be a great pity if, by this central scheme of Polytechnics, the efficiency of the whole scheme were endangered. It must be admitted that in framing this scheme the Commissioners had before them a very good type of institution by which they might be guided. I refer to the Polytechnic in Regent-street. I have before me the most accurate information as to the financial position of that institution. I hope that information will

be placed on an early day in possession of the House. With regard to the criticism that it would be a pity to expend the money at once on different institutions, let me point out that it is from the very nature of things impossible that all these schemes are come into operation at once. The hon. Member has thrown out one or two suggestions, and he has suggested that Her Majesty's Government should endeavour to pass an amending Act. When I look at the state of business in the House, and consider the amount of legislation which we have to pass between this and the Prorogation, I do not think the most sanguine amongst us is prepared to give a promise that we will introduce an amending Act. Then the hon. Gentleman has suggested that we should refer the scheme to a Select Committee. We have had seven years of the Act, during which period the Commissioners have deliberated upon the schemes, and now, after seven years' work, it is proposed to refer the schemes to a Select Committee. If we agree to that, I submit we should be opposing not only the previous Select Committee, but tearing into fragments the Act dealing with these schemes. I assure the hon. Member that we are fully aware of the importance of the matter. We will take careful note of all the suggestions laid before us, and will do whatever we feel most conducive to the great educational advantage and general benefit of the Metropolis.

*(5.37.) Sir LYON PLAYFAIR (Leeds, S.): My right hon. Friend has exhaustively treated the subject, but one point—and a very important one—he has omitted, and that is the apprehension which has been entertained that these schemes may drift away from the working classes and go to classes for which they are not intended. This danger has been completely avoided, for instance, in Regent Street. If any hon. Member will go and examine the Regent Street institution, of which I have the honour to be one of the Executive Body, he will find the working classes using that institution in the most remarkable way. There he will find brickmakers, tailors, watchmakers, masons, and others trying to get a better and more general knowledge of their industry, which is cut up into so many divisions that a man actually engaged as a workman in it may really know nothing of it as a whole. It is quite delightful to see how many working men increase their intelligence in this way. Unintelligent working men will never use these institutions, but intelligent working men go there and benefit by developing that intelligence which they are able to apply for the future improvement of their industries. I quite agree with the right hon. Gentleman that great care must be taken in watching these institutions and seeing they are fitted for the localities, but the localities take care of that for themselves. It is found in the case of all these institutions that the working men of the localities insist upon having classes for the industries chiefly carried on in the districts. The difficulty is to provide for all the demands made. There is another point of great importance, and that is, that there should be a department for recreation and physical training. If you go to any of these institutions and see the excellent gymnasiums and methods that are provided for the physical benefit and recreation of the members, you will come to the conclusion that the matter is most important. I hope these institutions will not become merely educational institutions, but that men who desire physical improvement will be able to go there for that purpose, and that when they come in contact with the intelligent working men who are employing themselves in technical training, they will be tempted to take advantage of the more educational parts of the institution. In conclusion, I heartily join with other members in expressing my admiration for the manner in which the Charity Commissioners have given their attention to the schemes and laboriously endeavoured to fit each Polytechnic to the district in which it is placed.

*(5.43.) Mr. NORRIS (Tower Hamlets, Limehouse): I rise to re-assure the minds of right hon. and hon. Members opposite with reference to the question of physical recreative education and athletic exercises. I have to do with another institution of equal importance, perhaps, to the Polytechnics, namely, the People's Palace, and I can bear witness to the excellent results being achieved there. The hon. Member for South Leeds need not fear that the bodily welfare of young

men and women is being neglected by these institutions. Had the hon. Gentleman been able to be at the People's Palace on Monday last he would have seen from 100 to 200 young women engaging in calisthenics. The Charity Commissioners have given us, up to the present, £3,500 per annum—I hope it may become more—and the money has been well spent in improving mind and body. We have a very large swimming bath, the gift of Lord Rosebery, and we are looking to voluntary subscriptions for the completion of the work going on there. It seems to me that a Committee on this subject would be entirely unnecessary. All these institutions are managed by Boards of Trustees who are composed of capable business men, men who generally know the locality and who are devoting themselves to the interests of the working classes. I cordially join hon. Gentlemen in congratulating the Charity Commissioners upon the way in which they have spent the money placed in their hands, and I am able to state that our Technical Schools are doing good work in the instruction of that class for which they are intended, and to which class alone they have been, and are confined.

*(5.46.) SIR B. SAMUELSON (Oxfordshire, Banbury): I cannot altogether agree with the right hon. Gentleman the Member for South Leeds (Sir Lyon Playfair) in the unqualified praise which he has given to these Polytechnics as technical institutions. The Regent Street Polytechnic, no doubt, has been a successful one; but it has been so entirely through the energy of its founder, Mr. Quintin Hogg. The People's Palace, on the other hand, I consider to be entirely on its trial so far as regards its educational aspects; and I must confess that the work which is going on in the technical and purely educational classes does not seem to me to be such as will, in the long run, command the confidence of the working people. Because one of these institutions has been successful for a great many years and the other is still on its trial, the Charity Commissioners have rushed into the sanction of a multiplication of them, which may with great advantage, in my opinion, be deferred. The great fact on which my right hon. Friend the Vice President of the Council relied as to why we should be in a hurry about the promotion of these institutions, appears to me to be one which should cause us to be additionally cautious. He tells us that subscriptions to the amount of £500,000 depend upon the contributions from the Charity Commissioners; but, if it should turn out that a mistake has been made, it would not end here, and bearing in mind what has happened to Mechanics' Institutes in many places, I think that, even at the risk of sacrificing some of the subscriptions which have been promised, it is desirable not to hasten the matter, lest a failure here should discourage the public from similar liberality throughout the country. We ought to take time—by examination before a Select Committee, or by starting only one or two Polytechnics at first—before we enter upon an enormous expenditure of money, whether charity money or the money of private subscribers.

*(5.50.) MR. LAWSON (St. Pancras, W.): I think it would be difficult for a London Member to give a vote which might be construed as a condemnation of the action of the Commissioners. The hon. Member for Aberdeen (Mr. Bryce) based his indictment upon the want of discussion of the schemes in the different localities where they are set up. I can hardly agree in that opinion. We took the matter up in all the parishes. There was a great deal of local consideration and discussion, and the opinion of the different districts was fully canvassed. It was not until we had arrived at a practically unanimous opinion that we went in deputation to the Charity Commissioners. The principle of the action of the Charity Commissioners has been that they will give £1 for every £1 subscribed by the public. On that condition money has been given by the public and sites promised, and I submit it would not be right at this time of day to suggest that the equivalent contribution should not be made out of the funds of the City Parochial Charities. It would almost be a breach of faith. It has been said we have not had a sufficient trial of these institutions. Reference has been made to two only; but in St. Pancras, to my own knowledge, there is an institution which both in respect to industrial education and physical training has already achieved excellent results on a small scale. This scheme was very fully considered by the London County Council. It is true they presented a Report

by a small majority against its adoption, but I think they were influenced mainly by a side issue. They objected to the constitution of the new Governing Body. That, I understand, the Charity Commissioners are prepared to re-consider. The right hon. Gentleman says that the Commissioners wish to give the fullest weight to all suggestions. I would particularly commend to him those made in respect, not of polytechnics, but of City parishes; those where, I am bound to say, a good deal of fault may be found with the large provision made for a very small resident population. As to physical training we thought something might have been done with a view of providing open spaces, especially in the east and south of London; but I think the population of London generally are well satisfied with the scheme. The scheme should be looked at as a whole, and, believing, as I do, that it is a symmetrical and thorough one, London Members are bound to give it their support.

*(5.55.) MR. J. W. LOWTHER (Cumberland, Penrith): With regard to what precautions are taken in the schemes for preventing the character of the polytechnics being altered and used for classes for whom they are not intended, I should like to draw the attention of the right hon. Member for Leeds (Sir Lyon Playfair) to the 43rd clause of the Central Scheme. The effect of that clause is that if at any time it should appear to the Commissioners that the character of the polytechnics is altering, and that the classes who are attending the institutions are not of the poorer classes, such as the Act contemplated, and such as the House desires to benefit, they shall call the attention of the central Governing Body to the matter. And if it appears on inquiry that due regard is not had to the interest of the poorer classes the annual payments in support of the polytechnics are to be withheld. In the same way another safeguard is obtained by permitting the Central Body to take initiative action and to call the attention of the Charity Commissioners to the fact that the character of the polytechnics is altering. In that case inquiry would be made, and if it appeared that due regard was not had to the interests of the poorer classes the annual subvention could be withheld. That, I think, forms a sufficient guarantee against the character of these institutions being altered. The hon. Member for Banbury (Sir B. Samuelson) said that the Charity Commissioners have been rushing into a sanction of polytechnics. I do not think that there has been any rushing at all on the part of the Commissioners. The fact is rather the other way. We have found so many applications from different parts of London, all pointing in the direction of polytechnics, that the Commissioners have really been rather forced into the adoption of this particular scheme for carrying out the Act. Let me also point out to the hon. Gentleman that there are six objects laid down in the Act which are to be held in view in the making of the schemes. The scheme of polytechnics meets directly four of these objects, and indirectly it meets one. The only alternative scheme that has ever been suggested is a scheme for open spaces in London, and that only meets one of the objects.

(6.0.) MR. J. ROWLANDS (Finsbury, E.): I would not have risen but for the remarks of the hon. Baronet, who seemed rather to discredit the advances that technical education has made in the Metropolis, and to consider that what has been done at the Regent Street Polytechnic and at the People's Palace represents all that has been done in London. I know that, among other very successful technical schools now now being conducted in London, there is the Finsbury School of the City Guilds Institution in the parish of St. Luke's, and from the Principal I learn that the classes are well attended, indicating the desire which I know generally exists among the rising generation to seize the opportunity for obtaining technical instruction. I do not think there is any fear whatever that, if facilities are afforded, technical education will fall through. I think the people are most willing to avail themselves of every opportunity offered in this direction. With regard to the schemes, I have to endorse the remark of my Colleagues that whether they are perfect or not they have been well ventilated. Many of us have had to act on Joint Commitees in our districts, have addressed public meetings in the largest halls available, and the whole thing has been brought prominently before the public. It is

just the popularity of the movement that has led to the offer of such large sums of money for the purposes of technical education, and especially was this the case in reference to that magnificent site promised by the Marquess of Northampton. I am second to none in appreciating the importance of technical education, but it would be a great mistake to allow that desire to lead us astray from the requirements of other institutions. I am convinced from experience that many lads who eventually get into the technical schools are at first decoyed by the recreative element attached, and I say even if you do not decoy them so far as the technical school, the recreative element is good in itself. I will not enter into the question how far the use of a swimming bath will conduce to making a lad a good citizen. If he will allow me, I should like to correct the right hon. Gentleman the Member for Bradford in his remarks upon the City of London Library. The right hon. Gentleman said he did not think two libraries were wanted for such a small portion of the City of London—that is the Cripplegate scheme. I am glad to say the Commissioners have seen that something better can be done, and they have made one of the libraries available for a population of 55,000 outside the City much in want of a free library, and in a very poor district indeed. In regard to open spaces, I suppose we are all at one in the desire to have more of them in London, and I do not think we need doubt that something will be done in this direction before long. Other monies will be available, though we spend this on technical education—other monies which belong to the City of London, and will have to be looked after, and that speedily.

(6.5.) MR. GILLIAT (Clapham): We are all indebted to the hon. Member for Aberdeen for his remarks, with many of which I heartily agree. I only, however, wish to say that the present is a very inopportune time for withdrawing our support to polytechnic institutions. Charitable funds are provided in proportion to the publicity and popularity of the movement, and if trade is sensitive I am sure that charitable contributions are more sensitive still. The subject has been, I think, most carefully ventilated in the House to-night, I hope, with very great profit. I entirely agree that most careful consideration should be given to polytechnic schemes; they should be modelled on the Regent Street form. I am most anxious that we should not do anything to divert those charitable funds now de oted to this object.

*(6.7.) MR. BRYCE: There are but a few remarks I desire to make in reply to what has been said in this discussion. In the first place the right hon. Gentleman did not reply to the most serious objection to the present scheme, namely, the comparatively small sum of money allowed to the new Governing Body. Even assuming that they would have £3,500 or £4,000, and assuming that that sum is doubled, giving, at the very outside, £8,000, that is a very small sum out of the immense fund of £118,000 to be left to the future new Governing Body for London. Several speakers have remarked upon the delay that might be caused by the appointment of a Committee, but nothing could be further from my mind than to advocate any step on the part of the Government which might keep the schemes floating for more than a few months at the outside. My suggestion is that a Committee might investigate the few points on which complaint is made in the course of four or five sittings. The reason why the Bill took so long in passing in the years 1881, 1882, and 1883 was that it was persistently blocked by hon. Members on the other side, and especially by the representatives of the City of London. But for their hostility, we might have carried it in one sitting through Second Reading, and in five or six sittings through the Committee. I believe that all the points I have now adverted to might be disposed of in, say, four sittings by a Committee upstairs. If the right hon. Gentleman does not see his way to adopt this course, I do not desire to press it. I am not dissatisfied with the discussion we have had.

(6.10.) MR. BLANE (Armagh, S.): In a discussion which arises on a Vote of this kind reference is unavoidable to the action of a large military force in Ireland which appears in these Civil Estimates under the head of the Royal Irish Constabulary.

THE CHAIRMAN: If the hon. Member desires to discuss that item I may remind him that there are Members who desire to refer to previous items.

THE COINAGE.

*(6.10.) MR. H. H. FOWLER (Wolverhampton, E.): Before we reach the Irish Votes I want to say a word or two upon item 18, relating to the Mint. I would ask the Chancellor of the Exchequer two questions: first as to the state of the gold coinage. As the Committee is aware the right hon. Gentleman has called in the pre-Victorian gold coinage, and I wish to ask him if he is satisfied with the steps he has taken under the Act of last Session, whether he himself believes we have practically got in the pre-Victorian gold coins? Assuming that is the case, and I hope it is, what does he propose to do with reference to the Victorian gold coinage? I think I am within the mark when I say that three-fifths of that coinage in circulation is light. This is a question the Chancellor of the Exchequer has promised every year to deal with, and as he is now in possession of ample funds—I do not ask him to make any reference to his forthcoming financial policy—I ask him, does he propose to deal with the light Victorian coins? Another point upon which I wish to ask him a question has reference to the silver coinage. I do not think the Chancellor of the Exchequer is aware of the general inconvenience caused by the confusion created by the Jubilee coinage not having the value of the coin marked on the reverse. I consider the new double-florin piece or dollar a very valuable coin, and I am glad to see it put into circulation, but at the present time it is undistinguishable from the five shilling piece. The Chancellor of the Exchequer said, the other night, I understand, that the coins were distinguishable by the four shields on the reverse of the double-florin and "St. George and Dragon" on the crown piece, but I do not think that practical every-day people will remember this distinction. I do not see why we departed from the practice of putting the value upon the coin. The florin bears in a circle outside the shields the words, "one florin—one tenth of a pound." We ought not to regard a coin as a medal. The first consideration for a coin is its convenience, not its medallic beauty. I can quite understand that the authorities at the Mint have a preference for a beautiful coin—whether they succeed or not I will not say. I will not discuss the artistic beauty of the Jubilee coinage. A florin, shilling, sixpence, or threepenny piece, with its value marked upon it, is of far more use as a coin than a merely artistic medal. I can quite understand that the Chancellor of the Exchequer relies on the opinion of the Mint Authorities, who may be unwilling to interfere with what they consider a fine work of art, but among the general public there is a good deal of dissatisfaction because of the inconvenience of not having the silver coins marked with their value, and I refer particularly to the double florin, which should have on its face the words, "one dollar—one fifth of a pound," just as the florin is marked "one tenth." Further, I would call the right hon. Gentleman's attention to the great scarcity of shilling pieces in circulation in the manufacturing districts; there is an ample supply of the larger silver pieces, but not enough shillings; perhaps he will use means to have this inconvenience removed by increasing the coinage or issue of shillings?

(6.15.) THE CHANCELLOR OF THE EXCHEQUER (Mr. J. G. GOSCHEN, St. George's, Hanover Square): With regard to the last point mentioned by the right hon. Gentleman—namely, the dearth of the shilling piece in the manufacturing districts—I can only state that the supply of shillings, according to the Bank of England, is ample, but the great difficulty is in providing that the coin shall reach those who most want it. The Government have very little power in circulating the silver coinage, and I shall have something to say in the Budget on the manner in which we have been able to supply the demand of the public for more silver coins. But while we have done our best to supply silver coins there have been complaint from some quarters that we have supplied too much. Bankers do not like silver coins, and this is an illustration of the difficulty of inducing sufficient circulation of silver to meet the popular demand in all parts of the country at the same time. It would be a great mistake to flood the country with

silver; yet I am the last person to wish to see a dearth of it, and the right hon. Gentleman may rest assured that I will do what I can to increase the number of shilling coins if necessary, or to facilitate the circulation. With regard to the pre-Victorian coinage, I am not entirely satisfied with the pace at which it has flowed into the Bank of England. As soon as it appeared to be known that a good full-weight sovereign could be obtained for a light sovereign there was no longer any desire to part with the light coin, and it became necessary to put pressure on the bankers to assist the Government in getting in the pre-Victorian coins. In some cases I regret to say that bankers have re-issued light coin rather than incur the slight expense of sending it to London for exchange. Since notice was given that after a given day light coins would no longer be exchanged for full-weight ones, they have been flowing in with greater rapidity, but the amount is still far short of the amount estimated by the Mint to be in circulation. With regard to the future, I will make a futher statement in the Budget, but I may say that I certainly intend to go forward, if the House encourages the Government to do so, with the rehabilitation of the Victorian gold coinage. But the public, who are mainly interested in the work, must assist the Government. Private bankers and others who have great influence in the matter should also assist, and if the Government are so encouraged, we will take steps to rehabilitate the gold coinage and make it the credit to the country that it ought to be. I observe from the applause on both sides of the House that greeted the remarks of the right hon. Gentleman that there is a general desire that convenience rather than art should be consulted in the design of the coinage. Numismatists allege that it is barbarous to put the amount of the value on a coin; but, whether this is so or not, there appears to be a growing desire that something should be done in this respect, and I will consult with the proper authorities on the point. I think, however, that, as a rule, when a particular coin becomes thoroughly known people recognise it at once by its general appearance; for instance, there is a great difference in general appearance between the double florin and the five-shilling piece, as there is also between the florin and the half-crown, and few mistakes should be made in those coins. At the same time I am quite ready to consult public opinion on the matter; and I will do what I can to meet the wishes of the House and the country.

(6.20.) SIR WILLIAM HARCOURT (Derby): With regard to what the right hon. Gentleman has said as to light coinage, I am sure the Government will have the support of the House in any well-considered measure for putting the coinage of the country upon a proper footing, a position it does not certainly occupy now. I was much surprised to hear what the Chancellor of the Exchequer said of the conduct of bankers in not sending in the light coin. There is certainly a heavy responsibility resting on bankers in the matter, for they know perfectly well that the issue of light coin is contrary to law, and the fact that they should go on issuing it when they know they can exchange it for sterling coin of proper weight will not meet with the approbation of any one who is interested in the currency of the country.

MR. GOSCHEN: The right hon. Gentleman must not think it has been the general practice with bankers. It would be unfair if I said anything to convey that impression. What I said was that there had been instances of the re-issue of light coinage, but I do not desire that any exaggerated statement should go forth.

SIR W. HARCOURT: I was not contradicting the right hon. Gentleman's statement, for I believe there is too much foundation for it. It is quite enough that there should have been instances of such conduct; it is a course which no banker ought to follow, for it is an evil example to the community, and throws the light coinage on the public in an unjust and improper way. I hope that what the Chancellor of the Exchequer has said on the point will serve as a warning, for it is a serious thing when persons who are placed in the fiduciary relation to the public which bankers occupy do not carry out the responsibilities placed on them. As to the question of art in regard to the coinage, and defacing it by any addition, I think that since the recent Jubilee coins were issued the artists might be left out of consideration altogether. It would be a considerable

advantage to deface the work of the artists on those coins, for it is not possible to produce anything more hideous than the recent coinage, or to make it uglier by adding anything to it. At all events, I am very glad that the Chancellor of the Exchequer means to do something in the matter of the light coinage, and I hope that whatever is done will be done speedily and effectively.

(6.25.) MR. CAUSTON (Southwark, N.): Just a few words in regard to the 4s. pieces. I put a question the other day on the point, and the right hon. Gentleman will hardly be surprised if I take the opportunity to illustrate the inconvenience that arises from similarity in the currency. I have in my hand a letter from the chief cashier of a London Rai'way Company, and he says that frequent errors arise between the 4s. and 5s. pieces, and if these mistakes occur with experts in the handling of coins, how much more frequent they must be among those persons who have but an occasional acquaintance with the double florin. There is an instance brought under my notice in which a conductor of a London omnibus handed a passenger 4s. 11d. change for a double florin. I have another letter from a secretary to a club, and he says that members finding that the 4s. piece is not liked in ordinary circulation bring the coins to the club and so get rid of them, making the club a sort of shoot for coin they cannot readily get rid of elsewhere. I hope the Chancellor of the Exchequer will seriously consider the desirability of withdrawing either the 4s. or 5s. piec', or both.

WESTMINSTER HALL.

*(6.28.) MR. CREMER: I want to bring under the notice of the First Commissioner of Works the circumstances under which Members of this House are excluded from the Buckingham Chamber and the Painted Chamber in the adjoining building. Until the last eight or ten months a Member was privileged to introduce a friend to view the paintings in the Buckingham Chamber simply by applying to the policeman on duty, but now we are rigidly excluded unless we have the sanction of Black Rod. Why should Members of this House be excluded from taking their friends into the Buckingham Chamber to see the two magnificent pictures it contains, and why should the room be locked against Members of this House? I can only say that if this practice be continued, when the Vote for the House of Lords is under consideration, I shall not only repeat my protest but will move a reduction of the Vote, and I shall persevere in that course until Members of this House are allowed every facility for entering that chamber. I do not grudge the amount of public money that has been expended on the production of these magnificent works of art; but I do strongly protest against Members of this House and their friends being prevented from viewing them by the intolerable restrictions that have been framed by somebody, and which ought not to be allowed to exist for 24 hours. Then, again, there is a chamber called the "Painted Chamber" in the House of Lords, and there is still more difficulty in getting there than in the other case. I am, however, not quite sure that I accurately stated the difficulties in relation to the Buckingham Chamber. There are some new rules, which, I am told, have only come into existence during the last few months, so that no Member of this House can visit either Chamber unless he is escorted by a Peer. But Peers are not always in attendance, and it is not every Member of this House who has the privilege of being acquainted with one. I hope the right hon. Gentleman the Chief Commissioner of Works will do his best to inquire into this matter, with a view, if possible, of enabling the Members of this House to visit the other House with their friends on convenient occasions. I also wish also to call attention to the fact that the Crypt is kept carefully locked against Members of this House, who bring friends here, or whose friends call to see them before 3 o'clock in the afternoon, and who would be glad to show them that portion of the building if they could do so. If you inquire in the Cloak Room they tell you that Mr. Coe has not arrived, and that until then you cannot get the keys to visit the Crypt. It certainly seems monstrous that Members of this House cannot visit the Crypt because the chief official has not arrived on the scene. I do not know why the keys should not be left with the attendants, in whom some confidence must be reposed, or they would not be retained in their positions. These

are three grievances which I hope the right hon. Gentleman will give us an assurance he will do his best to put an end to as speedily as possible. I should like also to ask the right hon. Gentleman what steps the Government propose to take to carry out the semi-promise made last year in regard to the *employés* in this building and the Government Offices. The right hon. Gentleman gave a half promise to appoint a Committee to consider the grievances of the *employés* in the various Government Offices; and I should think he would be glad in that way to be relieved of a somewhat difficult duty which both he and the First Lord of the Treasury are doubtless anxious to see discharged in these and other Government Offices. Are the Government willing that a Committee should be appointed, or will they give a pledge that the system of contracting for workmen employed in the Government Offices shall be discontinued? I suppose I should be out of order if I referred to the British Museum at this moment; but I might ask whether the same system is not carried on there, some of the boys having 4s. or 5s. per week deducted from their wages by the contractor, whilst 6s. or 7s. per week are deducted from the other *employés*. [An hon. MEMBER: No.] Well, I may be wrong, but my information comes from the men themselves, and I state the figures from memory. I protest, and shall continue to protest, against such a system. If painters and carpenters are to be provided by the Government contractor in the interests of economy, it is equally in the interests of economy that the higher forms of labour should be provided in the same way. Until the same system prevails from top to bottom, I shall continue my protest. I will conclude by asking the right hon. Gentleman to give us some information as to the first point I have raised, namely, the exclusion of Members from the Lords' rooms, and what steps would be taken to put an end to this contract system?

CAPTAIN VERNEY: Will the right hon. Gentleman state whether Westminster Hall may not now be thrown open to the public as in former times?

*(6.40.) THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): With regard to the admission of Members and their friends to the rooms referred to, and the question of the custody of the keys of the Crypt, the inquiries now made have come to me for the first time. I am not aware of the circumstances, but I will make inquiries into the matter, and when the Estimates are before the House I shall be prepared to answer the hon. Gentleman's questions. As to the *employés* of the contractors, that question was raised a few nights ago, and I then said that I was in communication with my Colleagues the Chancellor of the Exchequer and the First Lord of the Treasury on the subject. The question is one of extreme difficulty, and I can assure the hon. Gentleman that we have given a great deal of attention to it. In this particular case the problem is complicated by the existence of a contract that will not expire for another year. I think, however, that we have succeeded in hitting on a plan that will to some extent meet the views of the hon. Member; but, of course, it is impossible while the present contract lasts to give effect to any new system except with the consent of the contractor. I have placed myself in communication with the contractor, and am not without hope that even before the termination of the contract a new system will be adopted, which, and I say it with some confidence, I expect will be more satisfactory to the hon. Member than the present system. That is all I can say at present, because the negotiations have not yet come to a conclusion; but I may say that when the Estimates are before the House I shall be able to answer the question at greater length. I can assure the hon. Member I have been doing the best I can to devise some plan that will be more acceptable, both to the hon. Member and the *employés* of the Government, and which, at the same time, will not be contrary to the interests of the country.

*MR. CREMER: I gather from the courteous reply of the right hon. Gentleman that he is exerting himself to modify the terms of the contract, but that is not the object I have in view. I never contended for a modification of the

terms. What I object to is not whether a contractor shall deduct 5, 10, or 20 per cent. from the workmens' wages, but against any deductions at all. The principle of engaging men through the agency of a contractor is a pernicious one, and I shall continue my protests unless the same rule is applied to the highly-paid officials. I shall, however, be content for the present if the right hon. Gentleman will give the House a guarantee that before a new contract is made he will state to the House clearly the nature and character of the contract into which he proposes to enter, so as to afford hon. Members an opportunity of expressing their opinion on the subject. I know that the contract has another 12 months to run. I regret the fact, but I do not blame the right hon. Gentleman for it.

*CAPTAIN VERNEY: The right hon. Gentleman has omitted to answer my question as to the throwing open of Westminster Hall.

*MR. PLUNKET: That is a question in regard to which I can take no step without consulting the authorities of the Home Office and the police. I will, however, make inquiries at the Home Office, and see whether there is any objection to Westminster Hall being again thrown open. I may add that when the question was last put the Home Office authorities did not think it desirable to re-open Westminster Hall to the public.

*MR. CREMER: The right hon. Gentleman has not answered my last question.

*MR. PLUNKET: It is impossible for me to say more than I have already said until the hon. Member has seen the proposals I hope to bring forward. I cannot, however, give a distinct pledge that any contract will be submitted to the House before it is agreed to.

*ADMIRAL FIELD (Eastbourne): I desire to call attention to the Vote in Class III. for Reformatory and Industrial Schools.

MR. PICTON (Leicester): I rise to order. I have something to say on Class II., which, I presume, would come before Class III.

THE CHAIRMAN: The hon. and gallant Admiral would not be strictly speaking out of order in referring to Class III., although the last discussion was on Class I., but no reduction of the Vote was proposed. At the same time, hon. Members would do well to follow the items in their regular order; and if the hon. Member for Leicester desires to discuss an item in Class II., it would be better for him to precede the hon. and gallant Gentleman.

FRIENDLY SOCIETIES.

(6.45.) MR. PICTON: I wish to draw attention to what I consider is a grievance under which Friendly Societies suffer. It came to my knowledge a short time ago that a Friendly Society, in my own district, when they sent up their fee for registration of their Rules received no acknowledgment. At the end of the year the auditor raises a difficulty, and very properly, and the result is that the accounts are not properly audited. I am sure that all Members of this House are most anxious that there should be a stringent audit. Surely it would not be very much trouble to send an acknowledgment of the fee. It is a matter of principle that these Societies should have their accounts properly audited. I am not suggesting that any blame attaches to the Office of the Registrar; but I think we may complain of a Rule which I think would be better honoured in the breach than the observance.

*MR. CREMER: I should like to join my hon. Friend in complaining of the looseness of the manner in which the business of the Registrar of Friendly Societies is conducted. Last year a Committee sat upstairs, and we made some recommendations with regard to the business of the Registrar. Some few years ago I was connected with a Society who were desirous of altering their Rules. We sent our proposals to the Registrar, and they were returned to us in two or three weeks. We had no idea that two or three very important Rules had been expunged by the Registrar, and we went on working under them for three or four years. It then became necessary to prosecute one of our officers before a police magistrate, who would not, of course, hear the case until the copy of Rules certified by the Registrar was produced. Neither the solicitor who prosecuted, or Mr. Cooke, the magistrate at Marylebone, discovered that any Rules had been expunged, and it was only some two years after that case had been heard

and determined, when some of our members had occasion to see the Registrar, that we discovered that we had for years been working under Rules that were absolutely illegal. Last year the Committee made certain recommendations as to the work of the Office of Registry; and I wish to know from the hon. Gentleman whether those recommendations have been adopted, especially the one which proposed that the Registrar should use a stamp to obliterate any Rule which is not in accordance with the Trades' Unions or Friendly Societies' Acts. Is that recommendation now being acted upon by the Registrar, so as to avoid in the future that illegality and confusion which has been experienced in the past?

(6.50.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Of course, I am not able to say what form of acknowledgment should be made for the fee; but it seems to me that the proposal of the hon. Member for Leicester is a reasonable one, and I will inquire whether it can possibly be done. With reference to the question of the hon. Member (Mr. Cremer), there has been, as he knows, a Committee of Inquiry into the working of Friendly Societies and the Office of Registry, and some considerable alterations have been suggested, and some have been promptly adopted. I am not able to say off-hand whether a stamp could be used or not; but I will take care to bring the question before the Registrar of Friendly Societies, with a view to preventing in some form or other a repetition of the circumstances to which the hon. Member has referred.

IRISH ADMINISTRATION.

(6.52.) MR. JOHN O'CONNOR: Mr. Courtney, I should like to see the Chief Secretary in his place. Some hon. Member will perhaps go for him, for I know he is ready to answer charges brought against the Irish Government, and that he does not at all shirk discussion. To-day I put a question to the Chief Secretary respecting the treatment of political prisoners in Ireland—political prisoners who are usually called criminals in Ireland. And a few days ago I put a similar question to him, and as I have reason to be very dissatisfied with the answers given to me by the Attorney General for Ireland for the Chief Secretary, and by the Chief Secretary himself, I feel constrained to bring the matter more formally under the notice of the right hon. Gentleman. The first subject I will bring under his notice is the treatment of political prisoners under the Coercion Act. That subject was introduced to the notice of the House by my hon. Friend the Member for West Belfast last year. The Prison Rules were altered last year, under the inspiration, I believe, of the Chief Secretary, because he expressed the opinion that we were able to make some use of the treatment of political prisoners, and that we were able to make some impression on public opinion, which was reflected in the results of the bye-elections. Under the Rules as altered a man might object to have his hair shorn, or to wear prison clothes, unless the doctor considered it necessary for sanitary reasons. He might object to take his exercise in company with persons who were criminal and had been sentenced for disgraceful offences. A man might object to the performance of menial offices. These were the points that were conceded. According to the rules of the prison, it was discovered that prisoners need not perform these menial offices if they paid a certain amount per day. Now, Sir, these alterations in the rules were turned to the disadvantage of the prisoners. They were altered to meet public opinion, but they were used by the Prisons Board, I believe—I hope I am wrong—as inspired by the Chief Secretary. Why do I say that? Some of us were sent to prison last year—I am obliged to make reference to myself, as well as to several of my hon. Friends—and we gained experience of prison treatment. The reason why I say that the Chief Secretary was cognisant of this state of things is because, when we were first in prison, we were exercised in a separate and distinct class. I walked with my hon. Friend every day some seven or eight paces apart, so that we held no conversation, nor had we any desire to break the prison rules in this respect. In this manner we were exercised for a week in Clonmel Gaol, and then we were removed to Tullamore, my hon. Friend above being removed to Galway, and for five days at Tullamore we were allowed to take exercise together in the

yard, at the same hour. But then came an order from the Prisons Board, which, I say, the Chief Secretary inspired, and we were put upon that system of confinement which is meted out to the most incorrigible ruffians in English prisons, who are not amenable to the ordinary prison rules and are cast into solitary confinement. This was the response to the expression of English public opinion. The Chief Secretary, by the aid of his Prisons Board, sent down an order that we were to lose the benefit public opinion created in our favour, and the rules, instead of operating in our favour, operated to our disadvantage. That is my grievance. My hon. Friend will bear me out. I charge the Chief Secretary with having, by the exercise of his authority, and by the maladministration of the new rules, carried out a malignant and petty spite. I say that it was beneath the Prisons Board, and beneath any fair administration of the rules, to endeavour to take from us the benefit that public opinion demanded we should have, reducing us to a worse position than we occupied before. I shall be curious to know what the right hon. Gentleman has to say on this point when he replies to this and some other matters I wish to bring under his notice. At this moment there are in Tullamore Gaol a sufficient number of persons sentenced under the Coercion Act to constitute a class in themselves, who have declined to wear the prison dress and to take exercise with ordinary criminals, and who are, therefore, reduced to this condition of hardship of which I complain. One of these is a man to whom I have referred in a question, to which I got a very unsatisfactory reply. I mean Mr. O'Mahoney, the editor of the *Tipperary Nationalist*. I asked the Chief Secretary as to the state of this gentleman's health, and the right hon. Gentleman stated that the officials of the gaol and the Police Authorities had no information of the state of Mr. O'Mahoney's health. At the same time I knew that medical certificates from two practitioners in Clonmel were in the hands of the Police Authorities, and that the prison doctor and the prison officials very well knew the state of Mr. O'Mahoney's health. I offered to hand the Chief Secretary copies of these certificates, but he declined them, and I was obliged to say I would take another opportunity of bringing them to his notice. This I now do. Here is a certificate signed Philip O'Flynn, M.D., L.R.C.P.E., M.R.C.S.—

"I hereby certify that I have attended Mr. J. O'Mahoney during various illnesses and I consider him a man of delicate constitution. His recent attack of influenza has prostrated him much. I saw him on the day of his removal to prison, and, in my opinion, his condition was so weakly as to require very careful treatment and a nourishing regimen."

The other certificate is signed by Dr. Thomas J. Cree, of Clonmel, who says—

"Of Mr. O'Mahoney's ordinary condition of health I am not in a position to speak. The day on which I saw Mr. O'Mahoney, the date of which I now forget, he was certainly very low and suffering from extreme prostration, which generally follows a bad attack of influenza."

These are the copies of two certificates which I offered to hand the Chief Secretary, and I assert they were in the hands of the police, and that they knew the state of Mr. O'Mahoney's health, and that the Governor of the prison and the doctor must have been aware of it when the right hon. Gentleman answered my question to the effect that he had no information as to Mr. O'Mahoney's health when he was outside. Yet this gentleman, accustomed, as newspaper editors are, to night work, and to the treatment people engaged as they are require, was put into the prison at Clonmel, put upon a plank bed, and obliged to eat the meagre diet of a convict, although he was prostrated by illness; and although one of the doctors, evidently of eminence, from the letters to his name, stated the condition of the prisoner was weakly, so as to require careful treatment and a nourishing regimen. This is the man to whom you gave a plank bed, a meagre diet, and confinement in a narrow cell, 12 feet by six, for 22 hours out of the 24. And all this upon the word of the doctor of Clonmel prison, whose name has been often mentioned in this House, and whose character for sanity is not very well established.

DR. TANNER: Mad as a March hare.

MR. J. O'CONNOR: This is part and parcel of the manner in which Prison Authorities in Ireland conduct the administration of their prisons, and appl the rules to prisoners under the Coercion Act, an Act which I hope the Chief Secre-

tary has found, or that he will soon find, it is not to his advantage to put into operation. The next matter I must bring under his notice is the manner in which his magistrates in Ireland have of late begun to incite the police to commit outrages upon the people, even to the extent of taking life. Now, these are not old matters, old friends, as they have been called, that I am bringing under notice. The name of Mr. Cecil Roche is familiar, and the discussion of his conduct has often enlivened the proceedings in this House, but never in our charges against this gentleman have we yet accused him of inciting to violence and murder. We have shown how this Resident Magistrate has occasionally left the Bench to head a police charge, using his blackthorn on the heads of the people, and then, returning to his judicial position, has sentenced the unfortunate persons his men have assaulted, but this I am referring to is a different matter. Mr. Cecil Roche, on December 17 last, in referring to the shooting of a young man in a district of the County Cork, said that he agreed with the sentence of the Court, and if in any other civilised country in the world these men had attacked the ministers of the law, their lives might have been taken, and the police justified by the Government in taking their lives. This statement is important, when taken in connection with another utterance made a day afterwards by the Crown prosecutor of Tipperary, Mr. Bolton. A young man had been shot by the police, and Mr. Bolton said—

"Stones were deadly weapons, and it is well to let the public know if the constabulary are driven to it and their lives are in peril they were justified in using their weapons without reading the Riot Act and without the order of a superior officer."

This is the way in which the police are incited to baton and even to kill the people. The police have only to state that their lives were in danger in order to obtain justification for anything they might do. Mr. Bolton has said that stones are deadly weapons, and that if they are thrown at the police the latter may load their rifles and fire without reading the Riot Act and without the command of a superior officer. It is strange language to use, for it justifies the police in firing down a crowded street if only a small boy has thrown a stone in a spirit of mischief. Such language used from the Bench, or by a man in the position of a Crown prosecutor, is, I unhesitatingly say, nothing less than an incitement to crime, violence, and murder. My next reference is to the case of the boy Heffernane, who was shot, and for whose murder a coroner's jury brought in a verdict against a district inspector and his subordinate. Mr. Bolton said that he had nothing to say against the verdict, and that, in all his experience, he had never known an inquiry conducted with greater ability and impartiality than was shown by the coroner. Other counsel engaged in the case concurred in this opinion. Yet that verdict remains a dead letter, and the men under this serious imputation walk the streets uncharged and unpunished, and, perhaps, even they are marked for reward, as was the case with the Mitchelstown police, who also were engaged in taking the lives of people they ought to have protected. Now, I ask the Chief Secretary, I ask any sensible man among those on the other side of the House, how can it be expected the people will have any respect for the law when they see the misdeeds of officials backed up in this way, when verdicts of wilful murder arrived at after impartial inquiry are ignored? Why does not the Chief Secretary follow the example of Lord Castlereagh in 1798, and pass a Bill of Indemnity? He would then avoid our continual reference to these topics. Next, in reference to decisions of these Resident Magistrates I have to bring under notice the treatment of my Friend and constituent, Mr. John Cullinane. He is a man of great influence in the district where he lives. Time after time he has been before the magistrates and acquitted, and on more than one occasion the magistrates have been obliged to admit that Mr. Cullinane assisted in keeping the peace. Yet this very influence he exercised to a good end was an offence in the eyes of the magistrates, and they sent him to prison at last. A short time ago Mr. Cullinane was engaged in aiding the people to remove their furniture previously to eviction. He had brought carts and horses to carry out his meritorious purpose. For this he was tried by two Resident Magistrates, who said that though the meeting was not unlawful, yet there was an excessive

gathering. The Removable, Mr. Irwin, delivered a decision after the trial in which he said—

"The terror resulting from an assemblage of this kind was not sufficiently great to justify them in coming to the conclusion that the meeting was unlawful, consequently they would dismiss the case, but as the gathering was excessive—"

Note this, first of all the meeting is "not unlawful," and is therefore lawful, but it is excessive. But I ask, how can there be an excess of what is lawful? For bringing together this lawful gathering Mr. Cullinane was ordered to find security, himself in £100 and two sureties in £50 each, or in default to go to prison for six weeks. Of course, Mr. Cullinane chose the latter alternative, as the magistrates well knew he would. In fact, the verdict amounted to this, "You are not guilty, but guilty or not you must go to prison." In Tipperary, again, 15 young men were tried by a Coercion Court for assisting in a riotous cheering of a prisoner. The charge was dismissed against one of the prisoners, but with regard to the 14, Mr. Meldon, R.M., said that he could not convict them of riot, but would order them to find bail for 12 months or go to gaol for two months. In this case, as in the case of John Cullinane, the magistrates were unable to find a conviction against the prisoners, but they bound them over to be of good behaviour, and so, as finding bail for good behaviour is in the opinion of a Tipperary man tantamount to an admission of bad behaviour, like every good Irishman in such circumstances they went to goal, though they were acquitted of the charges brought against them. That is a state of things which is sufficient to make a man's blood boil. What defence has the right hon. Gentleman to make of the conduct of these Resident Magistrates? There is another matter, to which I should like to draw attention and that is a case of obstructing a funeral in Tipperary. The obstruction of which I complain took place at Cashel, and was at a funeral of a very respectable man named Minchin, who had died in Dublin, but whose body was removed to Cashel for interment. It was accompanied from the railway station at the latter place by relatives and friends, and the carriages of the local gentry, as well as a large concourse of townsmen, to the cemetery. But when the *cortège* reached the churchyard the head constable and some policemen rudely pushed back certain people and allowed only those whom they thought fit to enter. No explanation has yet been given of this extraordinary proceeding, nor do we know what principle guided the policemen in their selection of those who were to enter the churchyard. I want to know what justification there is for this continuous and continual interference with the function of burying the dead in Ireland? These are matters which the Irish people hold in a sacred light, and this interference is resented by them in the strongest possible manner. I condemn it as a petty act of tyranny, and as exasperating to a people who are already discontented with your rule. I know also it is disgusting your own friends in Ireland; it is destroying that moral support which you demand. I know very well that the Chief Secretary dispenses with the moral support of the law, and prefers to depend upon Resident Magistrates and upon policemen of the character I have described. I promise him that he will find that his batons and bayonets will not enable him to keep comfortably in power for a much further period of time.

(7.35.) DR. TANNER: Those who examine the items of this Vote cannot fail to be surprised that the two first which refer to Ireland show a very considerable increase. The people of Ireland have made up their mind upon one thing, and that is, that although they get a good deal of coercion, although they are put upon short commons in the Chief Secretary's gaols and supplied with plenty of baton and bayonet outside, to say nothing of buckshot and bullets, although they obtain from his Removable Magistrates the injustice which those officials are encouraged by the Chief Secretary to administer to the people, yet they cannot consent that the Chief Secretary himself should be better paid than he already is, while the item for charitable donations is reduced. I admit that everybody should be paid for work done; but I do suggest that the right hon. Gentleman might spend a little more of his time in Ireland. He should go about the country and make himself perfectly acquainted with

matters which he has to administer, because then he might adopt a different policy. It is truly lamentable that on the few occasions which the right hon. Gentleman has chosen to visit the Irish provinces he has invariably followed the example of Nicodemus, and has gone by night. Of course, under such circumstances, we can expect nothing from the right hon. Gentleman but a benighted policy. Should the right hon. Gentleman hold Office much longer I hope he will visit the South and the South-West of Ireland, and I assure him that he need not be afraid. Now I wish to deal with the question of prison treatment. My hon. Friend who last spoke put it clearly before the Committee that in the matter of clothing and the exercise of prisoners, and the barbarous hair-cutting and beard and moustache clipping, in which the right hon. Gentleman once rejoiced, those things have been put to an end; and anyone who has any information at all as to the state of public opinion will know at once that that alteration of policy is due to nothing else than to the strong feeling which was created all over the country by the exposure of the practice. Now I have had some experience both of Clonmel Gaol and in Galway Gaol, in which bail prisoners and untried prisoners are allowed to retain their clothes. But a great deal of difficulty was experienced in connection with the prison administration there, because it was found impossible to give certain prisoners their full time of exercise as allowed by the Rules. During my sojourn in Clonmel Gaol I again and again asked the prison doctor for an extension of the two hours allowed for exercise, and at last I spoke to the Governor of the Gaol, who said it was practically impossible to grant the application in consequence of the creation of a new class of prisoners —men who were imprisoned under the Coercion Act, and who required a portion of the ground to exercise in, because they could not be exercised at the same time as prisoners convicted under the ordinary law. The right hon. Gentleman occasionally gets up and tells us that no new class of prisoners has been created. I say distinctly and deliberately that there has been a new class created, and I ask the right hon. Gentleman if he can refute that assertion after the statements which I have made? Now, Sir, the hair-cutting business is done away with; but I believe that that change has not been due merely to the outcry which was raised by the treatment of the hon. Gentleman the Member for North-East Cork, and also of my hon. Friend the Member for one of the Divisions of Kildare. The reason why the hair-cutting and the system of enforcing the use of prison clothing was changed was because certain men, who had been proved guilty of gross insurance forgeries in Belfast, had been committed to Derry Gaol, and it was thought that, as they had been Liberal Unionists and organisers of political movements friendly to the Government, it was well to reward them by relaxing the Prison Rules—allowing them to wear their clothes, and relieving them of the necessity of performing menial offices in the prison. The right hon. Gentleman once made a statement in this House that bail prisoners were better treated than first-class misdemeanants. I should like to ask him has any change been made in the Prison Rules with regard to bail prisoners since he made that statement? The right hon. Gentleman is always rash, and occasionally he speaks at hap-hazard; but I wish that before he made these statements he would take the trouble to verify the facts. While I was in prison I tried to get hold of the Rules bearing upon the treatment of first-class misdemeants, in order that I might compare them with those affecting bail prisoners. I was refused them again and again, but in spite of all that I was able to secure a copy, and I found a very considerable difference in the method of treatment; first-class misdemeanants being undoubtedly the better off. For instance, they are not required when they are visited by friends to go into the "cage," but they are allowed to see their visitors in a room. They can also get an extension of the hours of visiting. I must say I am indebted to the right hon. Gentleman for the rash statements he occasionally makes; because when I had at intervals an altercation with the Governor of the prison, I was able to quote the right hon. Gentleman's words, and as a result I invariably succeeded in gaining my point. There is another question relating to the sanitary condition of Clonmel Gaol to which I feel bound to refer, and

that is in reference to the baths. The right hon. Gentleman, in answer to a question recently, said that there were four baths there; but I am positive that during my detention there was only one bath in use, although there was another antediluvian apparatus which might have served for washing a racoon or any other dirty animal, but which could not well be used for cleansing human creatures even of the worst class. One day when I was taking exercise I saw two of the warders painting up an old bath in a scullery in the disused female hospital, and when I asked for information as to what they were doing, I was told that I was too inquisitive in matters of prison discipline. I venture to think that what was then being done was only being done in order to give some colour to the statement of the right hon. Gentleman that there were four baths in the prison. The arrangements in that gaol are certainly conducive to the spread of loathsome skin diseases, as the hon. Gentleman the Member for Camborne found to his cost. But I am glad to hear that four new baths are now being erected. I know that the right hon. Gentleman smiles when we refer to these subjects, and that he meets our complaints with gibes; but I can venture to tell him that the statements which I have to-day made on this subject are statements which I am enabled to make from facts which came within my knowledge during my incarceration in the gaol. I would ask another question as to the treatment of certain unfortunates. Is it or is it not the case that a class of people known as epileptics suffering from epileptic fits have been confined in ordinary cells; and, if so, why has such cruelty, injustice, and barbarity been practised? I remember one night when the chief warder was going the round of the gaol in which I was confined, about 10 o'clock, I heard a frightful row a few cells off. I got up and heard the warders outside making remarks in an undertone, one of them saying, "He is dead; certainly dead." I asked what was the matter, and discovered that a man had been found in an epileptic fit in one of the opposite cells. I told them if they would allow me I would give every assistance in my power. The answer was, "Oh, no, that cannot be done, we shall have to send for the doctor."

Dr. Tanner

Whether they sent for the doctor I cannot say; but I will say this—that the prisoner in question had been interned in that gaol on more occasions than one; it was well-known both by the doctor and the Governor of the gaol that that man was an epileptic; and we all know—at least I do, speaking as a medical man—that one of the dangers of epilepsy is that if a man in a fit turns on his face in bed he may easily be smothered. Hard-hearted and callous as the right hon. Gentleman the Chief Secretary may be in other matters I certainly hope that in the interests of an afflicted class—afflicted not by man but by the Almighty—he would endeavour to do all that within him lies to prevent any untoward occurrence in connection with these afflicted creatures. I think he would be taking a step in the right direction if he would prevent epileptics from being confined in any cell without a companion. I know there are Prison Rules dealing with the matter; but I am pointing to a case which came under my own notice. These men, I say, are not shut up in cells with others, as they should be, and I sincerely hope some change will be made in this arrangement. At an inquest held within the last few days in connection with an occurrence in a Cork gaol, it was proved that the bells were not worked on the ordinary system. The prisoner has to pull a handle and let it go, and the thing is easily put out of order. Many of the poor prisoners coming from the country do not easily learn the way of ringing the bell in order to call the warder, and frequently have to remain in a state of torture through not being able to communicate with him. At an inquest held in the County Gaol yesterday on the death of John Conolly, of Skibbereen, it appeared that that man, when the police went to arrest him, could not be removed for three days, and the doctor attributed his death in the gaol to syncope, the chaplain stating that he and several of the prisoners confined in the gaol were unacquainted with the use of the bell. It is possible that had he been able to use the bell he might not have died. This is a type of the cases which the right hon. Gentleman would do well to investigate. With regard to the question of ventilation of cells in Galway and Clonmel Gaols, I have again and again

when in gaol taken the opportunities afforded me of calling attention to the frightfully bad ventilation of all the cells on the ground floor. The right hon. Gentleman has said the ventilation was in perfect condition; but we have heard this evening that he is going to accept a few tips which I thought it my duty to offer in connection with this subject, and that a considerable sum of money is to be spent in improving the ventilation. I have had the opportunity of comparing the Clonmel Gaol with that of Galway, and the comparison is greatly to the advantage of Galway. Most of the cells are nearly twice as large, and in case I have to go to gaol again I would call the attention of the right hon. Gentleman to the fact that the system of ventilation in Galway Gaol is a great deal better than it is in Clonmel. In fact, the general sanitary arrangements in Clonmel are simply discreditable and disgusting. I never saw anything worse, not even in that badly-managed establishment, the Cork Union. I spoke to Dr. Hewitson about it again and again; he is an ardent supporter of the right hon. Gentleman, and, of course, he said the system was magnificent, and the poor gentleman, who has suffered from the hand of Providence the deprivation of his senses on several occasions—having been confined in the District Union Asylum at Clonmel not very long ago—saw nothing that appeared to him to be wrong. He asserted that there was nothing that anybody could be fed on that was better than "skilly;" and when I spoke to him of the plank bed he said nothing could be more wholesome, and remarked how often it happens that a medical man who was out late at night was glad to get a stretch on a kitchen table. In fact he made apologies for all these things in a manner that would commend itself strongly to the intelligence of the right hon. Gentleman the Chief Secretary, so that I should not wonder to hear of his advancement to a better position than he at present holds. I have considered it my duty to offer these remarks as to Clonmel Prison, not so much for my own sake as for that of all the prisoners interned there from time to time. I look at it merely from a humanitarian point of view, and I sincerely hope that the disgusting sanitary arrangements at that gaol will speedily be remedied. I had intended to have offered remarks in regard to the conduct of certain magistrates in Ireland, but perhaps some of my hon. Friends will address themselves to that point. I hope, however, the right hon. Gentleman will look into the conduct of one of the Resident Magistrates, namely, Mr. Butler, who was recently turned out of a lodging house in Cork, in consequence of his having—he, being one of the magistrates appointed by the right hon. Gentleman, an unmarried man—brought home disreputable people during the night. That a young man recently appointed to his important position in my own constituency should have been allowed to do what he has been doing, and doing it with impunity, because he is a Resident Magistrate, is disgraceful in the extreme. As to the young man Gardner, I take exception to his non-attendance to his duties in the City of Cork. I took exception to that the year before last, when in my place, after another arrangement of the right hon. Gentleman. These magistrates may well be termed irremovable. It was my pleasure, some years ago, to know many of those resident gentlemen who were Stipendiary Magistrates in the City of Cork, and I found that those gentlemen always attended assiduously to the duties of their office; but with regard to this irremovable magistrate, I find that again and again they have to send constables all over the City to try and find some other magistrate upon the roster to attend and perform the magisterial duty in consequence of the absence of Mr. Gardner. I hope the right hon. Gentleman will inquire into the condition of these gaols, and that he will try and prevent the action of this man Butler, and that he will restrain, as far as possible, the action of the police in Ireland. I recollect the time when the Irish Constabulary were not known as the Royal Irish Constabulary, and when they were a respectable body of men. All that has been changed. As a medical man in Cork, I have had opportunity of becoming acquainted with all classes, and I have learnt that the constabulary have become debased beyond comprehension. Promotion is granted for illegal action, and you have District Inspector Milling promoted for breaking the head of an hon. Member of this

House. Then you have the crime of murder passed over by Mr. Carter, whom I certainly rather liked, and about whom I do not wish to speak too strongly. It is possible that the crime was not murder, and was capable of being reduced. The right hon. Gentleman approves the action of all his subordinates, from the sub-constable to the head county inspector of the force, which is against the people. By such a policy the Royal Irish Constabulary, in having to inflict injustices and cruelties upon the people, are degraded and debased. I sincerely hope that this state of affairs will very soon come to an end. It has been my fortune to see the system initiated and completed, but even the police themselves, many of them, would be glad to throw down their uniforms and guns if they could rely, which they cannot, on getting employment in other ways. Those who have left have been compelled to emigrate, as many driven from their native land have done before them. Such is the extraordinary state into which Ireland has been plunged by the maladministration of the right hon. Gentleman. I hope the time may be soon reached when we will have no more of these cruelties inflicted upon the Irish people, and when the Chief Secretary will be sorry for all the trouble he has caused in Ireland.

(8.20.) MR. W. REDMOND (Fermanagh, N.): The other night, Mr. Courtney, in the absense of the right hon. Gentleman, I called attention to certain questions with regard to the Government of Ireland. The Attorney General for Ireland at that time represented the Irish Government. On that occasion the First Lord of the Treasury, speaking of the debate, said some time had been wasted. I have no doubt an inclination may be felt to make the same remark to-night, but it must be remembered that these are the only opportunities of bringing our complaints under the notice of those who are responsible for the Government of Ireland. I do not know how it used to be in years gone by, but I know that now the representatives of Ireland are the last persons to be taken into the confidence of Ministers when they are dealing with Ireland. I do not know whether Irish Conservative Members have opportunities of bringing their grievances under the notice of the Chief Secretary, and getting them redressed, but I know that, as far as we are concerned, we have absolutely no opportunities of bringing complaints forward except such as we can secure in this House from time to time. It must be remembered that during the past few years some very extraordinary things have occurred with regard to Irish prisons. My hon. Friend the Member for Cork cited the case of a prisoner who was found dead in his cell when the warder unlocked the door. A very short time ago two men, who were confined for a considerable period in Galway Prison, died shortly after their release. One man died within 24 hours—certainly 48 hours—of his release from prison. The right hon. Gentleman cannot forget that another case occurred in Kilkenny Prison, where an unfortunate man who came from the county Galway, and who went into prison as a strong and healthy peasant, was found dead in his prison cell in the morning when the warder went to call him to come to exercise. At the present time an inquest is being held in the County Cork into the death of a man who had been in prison for two months in Clonmel, and who died within a very short time of his release. Then we had the case of Mr. Mandeville, who undoubtedly died from the effects of the treatment he received in prison. However you may deny the facts, the Irish representatives are justified in occupying not only hours, but days of the time of this House in demanding inquiry into these matters. I will say no more about the sanitary condition of these prisons, but will simply point to the fact of the two deaths in prison, and several deaths of prisoners soon after their release, and say that you are bound to make some inquiry, and pay every possible attention to the representations of Irish Members in this House in regard to the matters complained of. The Chief Secretary was not present the other night when I called attention to the unwarrantable and mean interference of the Government with the public Press of Ireland. The Attorney General for Ireland was present, but he could not very well reply on matters which related to the Chief Secretary himself. I cited cases in which newspaper editors, to the number of 15 or 18,

were sent to prison for publishing in their papers matters which have always been regarded as items of public intelligence. The Chief Secretary considered the matter of sufficient importance to write a letter of some length to a daily newspaper in this City. The right hon. Gentleman in that letter denied my statement that editors were sent to prison for publishing in their newspapers items of intelligence. He said—

"I will take the case of one newspaper editor in Ireland who was sent to prison; and, by dealing with this one case, I will be able to illustrate the action of the Government in all the other newspaper prosecutions of which Mr. Redmond complained."

The right hon. Gentleman cannot deny that the case to which he called attention does not illustrate the case of the other newspaper editors. This particular editor had published two articles, in which two men were particularly named and held up to public reprobation. These men so mentioned were not visited with outrage of any kind. No result whatever followed the mention of their names in these articles. What I find fault with is this, that the right hon. Gentleman led the public of this country to believe as distinctly as he could that this case which he quoted was representative of the other newspaper cases. I gave in my reply the date of the charges and the sentences imposed. and out of those 14 cases there were only three, including that mentioned by the right hon. Gentleman, which could be said to be even remotely like that case. In every other instance these newspaper editors were sent to prison for publishing items of public news. The right hon. Gentleman did not reply to my second letter, and I think I am entitled, and the public are entitled, to get from him some explanation of the fact. I selected one case as representative of the others, and was able to prove it—whereas the right hon. Gentleman has not been able to prove his case. I have no doubt that to-morrow it will be charged against me that I am obstructive in making these observations—indeed, I expect that before long some one will get up on the Government Bench and complain of waste of time. But I would remind right hon. Gentlemen that I am speaking of the cases of from 15 to 18 proprietors and editors of Irish newspapers who have been sent to prison, and who in prison have been treated like the commonest criminals of the land—who have been in many cases put on bread and water because they refused to walk side by side with the worst ruffians in our gaols. I would ask the House to form some idea of what public opinion in England would be if the editors of 18 influential British papers were put in gaol. Why, if such a thing happened here, instead of a few hours' debate you would have an agitation from one end of the country to the other, which would compel the Government in a very short space of time to reconsider their policy of attacking the Press in a wholesale manner. There can be no doubt that the majority of these Irish editors were imprisoned for publishing resolutions of branches of the National League—resolutions that were said to be of an intimidatory character. As to that I completely deny that the resolutions were of an intimidatory character. I challenge investigation. I assert that no crime followed in the track of the publication of the resolutions, the counties in which the newspapers containing them were circulated being amongst the most peaceful in Ireland. In counties like Wexford and Waterford—where the Judge of Assize has been presented with white gloves because there was absolutely not a single criminal to try—newspaper editors have been arrested and imprisoned by two Resident Magistrates without such an appeal to a jury as was allowed an English editor a short time ago for a libel upon a nobleman. I maintain that if the Government regarded the resolutions published of these Irish editors as of an intimidatory character, their business was not to attack the journalists who only discharged a public duty, but to prosecute the proposers and seconders of the resolutions, the chairmen of the meetings at which they were passed, and the people on the platforms. The Government, however, prefer to attack the newspapers, and I maintain that if the Government attempted to do such a thing in England, their action would not be tolerated by public opinion for a moment. And are Irish Members to be accused of obstruction because they refer to cases like this? Such accusations are enough to disgust Irish Members with coming to this place. As to the case

of Mr. Walsh, who happens to have been appointed Mayor of Wexford for the second or third time, I would point out that that gentleman, who represents nine-tenths of the people of the whole county, was imprisoned for publishing, without a word of comment, a resolution passed by a branch of the National League. In prison this gentleman was treated like the commonest criminal in the country—and I should like to ask the Chief Secretary how he expects to conciliate the people of Ireland and make them satisfied with the present system of Government, when he treats in this way a man like the Mayor of Wexford? What did the Lord Lieutenant do after Mr. Walsh was discharged from prison? [Mr. A. J. BALFOUR at this period—9.15—left the House.] I see the Chief Secretary going away. I will not make complaint of that, further than to say that the matters I am dealing with relate to the personal action of the right hon. Gentleman, and that I deem it necessary to say what I have to say in his presence. The Irish Attorney General gave me an answer on these matters the other day—a very straightforward answer from his point of view—but I was not satisfied with it, and I desire to have a reply from the Chief Secretary. I will take an opportunity of continuing my observations when the right hon. Gentleman comes back—and I hope the Committee will acquit me of blame in having to make a second speech. If I speak again, it will simply be because the Chief Secretary did not do me the courtesy of remaining in his place to hear what I had to say in regard to him.

(9.16.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.18.) MR. BLANE: The details of this Vote ought to be publicly stated for the instruction of the people. It seems that £300,000 are now required for the police in Ireland as a Supplementary Estimate, plus £20,000 for the Dublin police. The Irish Constabulary is an armed force maintained in defiance of the Mutiny Act. In England you will not allow any armed force to exist unless it comes under the provisions of that Act; but in Ireland this enormous armed force does exist, and does not come under the Mutiny Act. The taxpayers of this kingdom are compelled to pay actually 32 times the amount for the Irish police that they pay as a Supplementary Vote for the English police, £10,000 being sufficient for the English Supplementary Estimate. The large constabulary army in Ireland is not a police force, and never has been, for it is impossible to say that men armed with breechloaders and bayonets are police. I find also that whilst £320,000 is required for the policing of the people, only £250,000 is required as a Supplementary Vote for the education of the people. To turn to another item, whilst prisons in Scotland cost £15,000, the Irish prisons cost just double that amount, although there is less crime in Ireland than in Scotland. What crime there is in Ireland arises out of the riots which the constabulary get up themselves. Another significant item in the Vote is that relating to law charges for criminal prosecutions. These charges, together with miscellaneous expenses, in England amount to only £20,000, whilst in Ireland they reach £35,000. These charges would not be half as large but for the fact that the police force is wielded by a class which absolutely refuses to pay one penny towards its maintainance. In every pipe of tobacco, in every cup of coffee, tea, or cocoa, the working classes pay for the maintainance of that force, whilst the ground landlords completely escape their share of the charge.

THE CHAIRMAN: Order, order.

MR. BLANE: I will not pursue that subject further because I am sure I am treading on delicate ground.

THE CHAIRMAN: The hon. Member is out of order altogether. The only question to be considered is the amount of pay.

MR. BLANE: If any value were obtained for the money I would not raise any objection to this Vote, but we get no value for the money. There is a class in Ireland which does not care how much is spent upon the constabulary, because having their sons in the constabulary they have an interest in drawing largely upon this Vote. I suppose there was no greater scandal than occurred the other evening in the House of Commons, when I saw a lot of wooden-headed barristers rushing into

the House because they heard a judge was dead, and they wanted either to supplant him or to get subordinate places. I met one of them who was hurrying so fast in St. Stephen's Hall that he struck me in the stomach. Let me draw attention to the use to which the constabulary is put in criminal prosecutions. I have drawn attention two or three times to the case in which two or three police fired upon a number of men upon Lough Neagh, and put a bullet through their boat. When the men remonstrated with them one of them raised his rifle and said he would shoot him to hell if he gave him any insult. The police robbed the poor fishermen of their fish, and, when the aggrieved persons went before the magistrates, they were invited to make affidavits, and the police were arrested by being simply touched on the shoulder by a superior officer, and were then allowed to have a day's holiday. That is not how the Irish Members are arrested. I myself was dragged out of bed in the middle of the night when I was arrested. Well, the Attorney General did not direct Mr. Munro to prosecute the police who had been guilty of the outrage on Lough Neagh, and the case fell through. The Attorney General, however, directed these poor men to be prosecuted for perjury. When the men were fired at the Crown Solicitor was absent, but when they were to be prosecuted for perjury he was not absent. The men were dragged about from one place to another by the police, but notwithstanding the way they were treated they were unable to get any redress whatever. The only thing I can attribute this to is that I happened to put a question here on the subject, and immediately a prosecution was proceeded with. Now, I happened to go down to that prosecution. One witness for the police was a civilian and he was in charge of the constabulary, and this very man I saw the police bring out of a public-house drunk. The police made him drunk so that the magistrates would not examine him, and I say this was intentional so that at the Assizes he should not be cross-examined upon his depositions. It must have been so, for he had no means of getting drunk but by the connivance of the police. We can get no redress for these things; we raise our voices here, and we are met with the charge of obstruction to business. It is a charge that does not annoy me very much, but far graver is the charge of obstruction we make against the Government in Ireland, that they use all the forces at their command to obstruct the course of justice. Here we vote large sums for the pay of Crown prosecutors, but no assistance do the poor people get against the tyranny to which they are subjected; on the contrary, the power of administration is used against them. Conceive how different would have been the proceedings had these poor men been in a boat on the Thames. I may say this is no question of Party feeling; I did not even know, when I interested myself in the case, if these men were Nationalists or not. Whatever they were they should not have been fired at. Unfortunately we cannot prevent these things in Ireland; all we can do is to protest in this feeble sort of way against such misconduct on the part of officials.

*(9.35.) MR. WEBB (Waterford, West): Though I had no intention of speaking, after what has been said by my hon. Friends, I feel I ought not to let the Motion pass without a few words. Familiar as we may be with these occurrences in Ireland, they acquire a greater importance when urged as they have been by my hon. Friends in this House. We are often twitted in Ireland with a desire to go back upon the past; but bad and sad as the past has been, I find enough to concern myself with in the condition of Ireland in my own time. Certainly in the mode in which we are governed and the exasperating things that are said by those who govern us and in the action of the police, there is enough to account for any wild and exaggerated talk that may prevail. One illustration I may give as a sample of what is done to embitter national feeling, and that was the reference to Father M'Fadden having occupied a prison cell as a suggestion to account for the state in which the next prisoner soon found himself. Such utterances inflame passion, and I certainly think when the Chief Secretary permits himself to make such observations in reference to a man loved and respected by the many who knew him it shows how little the right hon. Gentleman is sensible of the

responsibility of his position. Really he, perhaps, has little responsibility, for when the change of Government comes he has but to take his hat and leave the country, clear of the effects of his conduct; but for us who have to stand by our country, it is a grave prospect to contemplate when we shall have administration put into our hands. As a Nationalist I often feel the future to be serious when I see the terrible difficulties being created under the present system. When I was younger I looked forward with joy and hope to that change that must come sooner or later, but now I look forward with a feeling of the deepest responsibility and something of dread to the task laid upon us of bringing back things to a normal condition. Meanwhile, we can only talk here; that is our only means of influence. When I look round this beautiful chamber and think of the perfect arrangements of this stately building, I feel it was never built for the discussion of the subjects Irish Members are often obliged to bring forward; and I trust the time will come before very long when such minor matters will be relegated to another Assembly, leaving this House free to discuss the Imperial affairs of this great Empire. The position and the conduct of the police in Ireland inevitably come before us on this Vote. I must say I pity more than I blame the police because of the terrible position in which they have been placed. Nothing strikes an Irishman more than the difference in the position of the police here and at home. Though in Ireland I endeavour to do my duty as a citizen, I am regarded as a suspected person; here the police are the friends of the people, and together they assist in keeping good order. In Ireland the police are exposed to temptations such as no men should be subjected to. I mean the temptation of having promotion dependent upon the success with which they carry out certain prosecutions. This was forcibly brought before me in relation to a case I had occasion to take up some years ago—the Crossmaglen case, in which a number of persons were condemned to long terms of imprisonment on utterly insufficient evidence before packed juries. The evidence was almost entirely police evidence, and the police were promoted after the conviction of the prisoners. In this connection there are two matters I wish to refer to: and, first, to the character of the men who are opposing the policy of the Chief Secretary in Tipperary. I was there a few days ago, and I brought away a strong impression of these men. They are not light-hearted, ardent young men; they are grave, responsible men, who, in a proper state of society, would be at the head of local government and in command of the police rather than in opposition to them. The Chief Secretary is in a most unfortunate position. In Ireland the official classes are so numerous and extensive that they completely shut out the Viceroy and the Chief Secretary from ascertaining the just wishes of the Irish people. Their interest being to sustain the present state of things, they imbue the Chief Secretary with false notions of government. I was particularly struck by this fact while recently looking over the *Memoirs of the Earl of Carlisle*. He was a man influenced by the best desires, his name honourably connected with many a good work; but as I read the book I see how he was surrounded by, and entirely surrendered himself to, the official classes. Then, as now, there were great leaders of public opinion in the country; but the Earl of Carlisle was completely shut off from these as the Chief Secretary is now. It is with great diffidence I make these remarks. We are blamed for taking up time; but we must do it, out of the fulness of our hearts we speak. It is impressed into our very being, and sure I am that were an attempt made to govern England as Ireland is governed no other business would be done here until a change were effected.

(9.48.) MR. W. REDMOND: I really do not know what to say, for we Irish Members are in an extremely difficult position owing to the action of the Chief Secretary. He certainly rose to reply to my hon. Friend the Member for Tipperary, and I asked him to allow me to speak first in order that he might be saved the trouble of making two speeches, and that he might reply to me at the same time. I pointed out that I wished to refer to matters personal to himself, and I am certain he does not wish to evade giving me a reply.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Hear, hear.

MR. W. REDMOND: I have no doubt he will offer some explanation, but it is an aggravating thing that when we are making a statement to which we have a right to expect a reply, you should get up and walk out.

THE CHAIRMAN: Order, order!

MR. W. REDMOND: I ask the right hon. Gentleman to remember that I commenced my speech by saying that I wished to refer to matters personal to himself. The Attorney General, it is true, remained here, but he could not reply for the action of the Chief Secretary in reference to the matter of Press prosecutions. I do not wish to go over what I said while the Chief Secretary had left the House, but I must remind him that the first point to which I should like an answer is with regard to the Press prosecutions in Ireland. The cases given by the Chief Secretary in illustration do not represent the ordinary ones that occurred, because there was editorial matter in the one case and not in the others. The second point has reference to the condition of prisons, and I pointed out that the number of deaths were sufficient to justify me——

*MR. A. J. BALFOUR: I beg the hon. Member's pardon, but I had the honour of listening to all this part of his statement.

MR. W. REDMOND: The right hon. Gentleman should not have gone out in the middle of my speech. The right hon. Gentleman may laugh, and I will proceed no further, leaving the Committee to say whether in this matter the right hon. Gentleman treated me with the consideration a Minister ought to show towards a Member trying to do his duty. The portion of my speech to which the right hon. Gentleman did not do me the honour to listen had reference to what I must unquestionably call the murder of the boy Heffernan in Tipperary brought under notice by my hon. Friend (Mr. J. O'Connor), whose personal concern it was as Member for the division. My hon. Friend pointed out that a verdict of wilful murder was returned by a Coroner's jury against two police officers, but that they have not been brought to trial. This is not a singular case, for time after verdicts of wilful murder have been given against the police, and they have been allowed to go free. In Heffernan's case not a single policeman received the slightest injury, and there was no excuse for men who were in no danger or peril of their lives wildly firing into a crowd. I am not here to say whether stones were thrown or not; but this I say, without fear of contradiction, that no policeman received the slightest injury, and there was no justification for firing rifle shots down the street with the result that a poor boy was brought dying to his mother, saying with his dying breath forgive these men. While policemen are allowed to shoot people in the streets and are not rebuked and brought to trial, the Irish people will ever be in a condition of discontent. Then there was the occasion when the hon. Member for North-East Cork went to Tipperary for the purpose of attending the funeral of the brave young man who had taken a good part in public affairs. The funeral was also attended out of respect for the deceased by large numbers of people, but the Resident Magistrate professed to believe that the hon. Member for North-East Cork was going to hold a meeting and cause a disturbance. A large force of police was sent to attend the funeral. Now, the people of Tipperary are a hot-blooded people, easily roused and excited by acts of injustice; and if there is one thing more sacred than another in Ireland, and especially in that county, it is the last rites paid by relatives and friends to the dead whom they have respected and loved in life. In the professed belief that the hon. Member for North-East Cork was about to hold a political meeting, a strong force of armed police attended and hustled the funeral procession even to the brink of the grave. My hon. Friend the Member for North-East Cork is not the man to shrink from the responsibility of saying what he has to say, but the authorities believed, or pretended to believe, that he was going to deliver a political harangue over the coffin and by the open grave of his friend. He boasts that there is peace and tranquillity in Ireland; but if he refers to the fact that men are not being set upon by the police in thousands and killed, then let me tell him that the peace is not in any way due to his policy, for he does not hesitate to exasperate and insult the people even at the very grave side. The

avoidance of disturbance at that funeral in Tipperary, to which reference has been made, was due not to the policy of the right hon. Gentleman or of the police, but to the action of my hon. Friend the Member for North-East Cork, who begged and implored the people to remain calm. No explanation has been given of the conduct of the police on that occasion. The Chief Secretary might, at least, express his disapproval of the desecration of the grave by those men; but he prefers to get up here and say it was necessary the police should be at the grave side in order to watch the hon. Member for North-East Cork, for fear he was about to make furious attacks on the Government and on the landlords. But that explanation will not satisfy hon. Members on these Benches or the people of Ireland, for they know only too well that the policy of the right hon. Gentleman is a policy of exasperation. And now I have to refer to another case on which we desire to have explanations. It is that of Mr. O'Connor, a young man on the staff of the *Leinster Leader*, who, for publishing resolutions passed at a public meeting in the County of Kildare, was sentenced to two months' imprison ment as an ordinary felon by two Resident Magistrates, who refused to state a case for a superior Court. O'Connor was at once sent to prison, and because he refused to conform to those indignities which are heaped on the lowest class of criminals, he was put for 24 hours on bread and water. The hon. and learned Member for Longford at once went to Dublin and obtained a mandamus in the Court of Queen's Bench, and that Superior Court held that Mr. O'Connor had been wrongfully convicted, and directed that he should at once be set at liberty. But the Government will not rebuke the magistrates nor afford any redress to Mr. O'Connor. Mr. Redmond, of the *Waterford News*, has been sentenced to seven months' hard labour, and the County Court Judge has decided that the Magistrates were wrong; but the same Magistrates at the same time, and for another alleged offence, sentenced Mr. Redmond to imprisonment for a fortnight, and against that sentence there was no appeal. If the Chief Secretary disapproves of the publication of these resolutions, why does he not prosecute the proposers and seconders of them and the people on the platform at the meeting at which they are passed? These are the people who are really responsible; but the Chief Secretary cannot prosecute all these people to conviction, because if he did there would not be room for them in the prisons. The truth is, in spite of the declarations of the Chief Secretary to the contrary, there are not in prison more than one in 5,000 of those who daily break the Coercion Law in the face of the police. And now I come to the case of the Mayor of Wexford, who has been deprived of an office held by right by Mayors of Wexford. The excuse made by the Government for not allowing Mr. Walsh, as Mayor of Wexford, to serve on the Governing Body of the lunatic asylum was that he was disqualified by having been imprisoned; but surely it is monstrous to say that the Mayor of Wexford is disqualified in that way for such an office, while Members of Parliament who have been similarly imprisoned are not disqualified from sitting in the House of Commons. The Corporation of Wexford is justly offended at the conduct of the Government, and has asked me to bring it before the House. If the Chief Secretary had not walked out of the House whilst I was stating my case the discussion might have been over earlier, and if there has been waste of time the First Lord of the Treasury must attribute it to the Chief Secretary's leaving the House. We are here for the purpose of stating the views of our constituents on these matters. Of course, it must be very stupid and almost intolerable to English Members to have to listen to so much about the affairs of Ireland; but if it is intolerable to them it is only one proof of the necessity for allowing the Irish people to manage their local affairs at home.

*(10.12.) MR. A. J. BALFOUR: I observe that the hon. Member who has just sat down is deeply incensed with me for having departed towards the end of his speech, in order to obtain that necessary sustenance which even a Minister of the Crown begins to require towards a quarter to 9 o'clock in the evening. The hon. Member accuses me of having ignored his first speech—[MR. W. REDMOND: No]—and I therefore listened with attention to the second speech of the hon. Member; but to my intense surprise about three-fourths of

that speech was a repetition of the one to which I had already had the pleasure of listening, and the other quarter was peroration. The hon. Member has also told us that these discussions are naturally wearying to English Members. They would, no doubt, be wearying to English Members, if English Members stayed to listen to them; but during the whole of the discussion which has been going on since a quarter-past 7 I have noticed that the whole space above the Gangway opposite has been almost absolutely unoccupied. There has been, indeed, a small sprinkling on the Ministerial side of the House; but among the hon. Gentleman's own friends the number of admirers his oratory could find has been limited to four or five. I have three speeches to which to reply. The first speech is that of one of the Members for Cork, which has been specially devoted to prison treatment in Ireland. The hon. Member has given us to understand that special instructions were sent by the Chief Secretary to the Prisons Board in Ireland in order that what the hon. Member called political prisoners might be subjected to a specially severe administration of the Rules.

DR. TANNER: I was the only Member for Cork who spoke, and I said nothing of the kind.

*MR. A. J. BALFOUR: I was wrong. [DR. TANNER: As usual.] I meant the hon. Member for Tipperary. [Sir W. HARCOURT here made an observation across the Table.] I doubt whether the right hon. Gentleman himself knows the constituencies of all the Irish Members.

SIR W. HARCOURT: I am not Chief Secretary for Ireland.

*MR. A. J. BALFOUR: The right hon. Gentleman might know his chief supporters. The hon. Member for Tipperary has given us to understand that such instructions were issued. For my own part, I assure hon. Members that while I take an interest in general prison administration in Ireland, I take no interest whatever in the lot of individual prisoners.

MR. J. O'CONNOR: I am sorry to interrupt the right hon. Gentleman, but I am sure he would not wilfully misrepresent what I said. What I did say was that, considering the fact that we had been treated as a separate and distinct class of prisoners and allowed to exercise in each other's company, after the lapse of a week some instructions must have been sent, perhaps by the Chief Secretary, and possibly by the Prisons Board. I did not state it positively, and I expressed a hope that the Chief Secretary would be able to deny it.

*MR. A. J. BALFOUR: I know nothing about express instructions, nor have they been sent; but I repeat that the idea of constituting a special separate class of prisoners, convicted under one particular Act, has never entered into my head. I absolutely repudiate it, and I would never consent, directly or indirectly, to a policy of treating those convicted under the Act of 1887 differently from those convicted under any other Act.

MR. J. O'CONNOR: Are you not a member of the Prisons Board and responsible for their action?

*MR. A. J. BALFOUR: I am not a member of the Prisons Board; but in so far as I am responsible for the action of the Board, there shall be no difference made between a prisoner convicted under one Act of Parliament and a prisoner convicted under another Act of Parliament. That is an explicit statement of policy which I trust will satisfy the hon. Gentleman. [Mr. J. O'CONNOR: It is shirking the question.] The hon. Member has stated that the alteration which has been made in the Prison Rules has been entirely due to what he called the strong case which he and his friends made out to the country with regard to the treatment of the hon. Member for North-East Cork and other Members of Parliament who have been imprisoned, and about whom a great agitation has been made. Among the other demerits of this statement, it is entirely inconsistent with the account of the same transaction given in the speech of the Member for Cork, who immediately followed. The hon. Member for Cork told us that the whole of the alteration that had been made was in order to give some relief to the Belfast forgers who had been convicted about that period, and who, of course, had the same

privileges as those given to other prisoners.

DR. TANNER: I regret exceedingly at having to interrupt the right hon. Gentleman, but I wish to explain he has misconstrued my meaning. What I stated was that it was really to give relief to the right hon. Gentleman's political friends, these men in Belfast, who had grossly behaved in swindling there, and that this notion had been conceived by the Prisons Board, but that effect was given to it by the way in which this country regarded the villainous behaviour towards the hon. Member for North-East Cork. It was both.

*MR. A. J. BALFOUR: If I had the slightest conception of what the interruption of the hon. Member means I would gladly withdraw any misrepresentation that I have made; but I think that the Committee will agree with me that the apparent meaning of the hon. Member's speech was that the intention of the Government had been to give some kind of relief to the Belfast forgers. The account given by the hon. Member who has just interrupted me and that given by the hon. Member for Tipperary are obviously inconsistent, and I will leave the Committee to decide which is the least improbable of the two. I have not gathered from the speech of the hon. Member for Tipperary what the special grievance was of those persons of whom he has spoken. They were given under the relaxation of the Prison Rules made last year some kind of privilege, subject to the discretion of the prison officials. They had the privilege of wearing their own clothes, and if the result of that was that they had to take their exercise with greater solitude than they would otherwise have done it was obvious that the fault lay with them. If they desire company let them take exercise with the ordinary prisoners. I d aw no distinction between prisoners convicted under one Act and prisoners convicted under another. The officials have a certain discretion, and have used it, to give these persons a certain privilege; if the prisoners do not wish the privilege let them renounce it themselves. Then the hon. Member referred to the case of Mr. O'Mahoney, whose health he said required special treatment in prison, and this he has based upon the certificates of two doctors. For my own part, I have not the least doubt that Mr. O'Mahoney will receive what every prisoner in Ireland and in this country receives, namely, competent medical attention from the medical officer on the spot. The health of prisoners in Ireland compares favourably not only with the health of the similar classes of the community not in prison, but also with the health of prisoners in English prisons.

MR. W. REDMOND: Will the right hon. Gentleman be good enough to say whether recently two prisoners have been found dead in their cells in England?

*MR. A. J. BALFOUR: I have not inquired whether two prisoners in England have been found dead in their cells or not; but the hon. Member is perfectly aware that the best medical attendance is not sufficient to guard a prisoner against the result of heart disease, and among a number of prisoners a certain proportion of them must necessarily suffer from that disease and other diseases ending in sudden death. But the conclusion gathered from the statistics is perfectly clear and explicit that the health of Irish prisoners compares favourably with the health of English prisoners, and with that of persons drawn from the same class in Ireland who are not in prison, but who are carrying on the ordinary avocations of life. The hon. Member who opened the debate went on to speak of Mr. Roche and other magistrates, who, he said, had incited to violence on the part of the police. I have listened to the proofs which the hon. Member endeavoured to give, but I have wholly failed to see that the hon. Member has made out the slightest case. No doubt it might have been true that Mr. Roche or other magistrates stated that the police were justified, under certain circumstances, in using their weapons without the Riot Act being read and without the command of their

superior officer. Does the hon. Gentleman doubt the accuracy of the statement made by Mr. Roche on that occasion? Is it not obvious to every man of common sense that if the police are attacked with murderous intent they have the right and even the duty to use their weapons in self defence? Of course, I admit I have, indeed frequently, stated in this House that the use of weapons by the police should be only resorted to in extreme cases; but, unfortunately, under the teaching of hon. Gentlemen opposite extreme cases will occur. Then the police, in my opinion, are only doing their duty in using the weapons intrusted to them for the purpose of defending their lives.

MR. J. O'CONNOR: Sir, I rise to a point of order. I ask whether the right hon. Gentleman is in order in attributing to me and my hon. Friends such teaching as results in occasion for violent proceedings by the police, and as end possibly in murder?

THE CHAIRMAN: I did not catch anything which was an infringement of order.

*MR. A. J. BALFOUR: In discussing the case of Tipperary the Committee must recollect that, also under the teaching of hon. Gentlemen below the Gangway, Tipperary has been the scene of most disgraceful riots in connection with the Plan of Campaign, which has prevailed in that town for the last six months.

MR. W. REDMOND: That is absolutely untrue.

*MR. A. J. BALFOUR: In one of these riots a boy was killed. ["No"] I simply state that the boy was killed. Does the hon. Gentleman deny that?

MR. J. O'CONNOR: The magistrate stated that there was no riot.

THE CHAIRMAN: These interruptions are most irregular. If hon. Members desire to make any reply they will have other opportunities for doing so.

*MR. A. J. BALFOUR: In one of these riots a boy was killed. There was a coroner's inquest, and a verdict of wilful murder was returned against one officer and one sergeant, or one officer and constable, I forget which. I do not understand in that transaction what accusation there can be against the Government. Hon. Members ask what has happened to these constables, and the answer was—"Just what would naturally happen." They have given bail to appear at the Spring Assizes to meet the charges.

MR. W. REDMOND: Is it usual to give bail in charges of murder?

*MR. A. J. BALFOUR: Bail was given after application to a superior Court, and that is usual, much as it may surprise the hon. Member. This is the substance of the solemn accusation brought against the Government by the hon. Member for Tipperary. The next point brought forward was the case of a man named Cullinane, who, it is said, was a sort of peacemaker between landlord and tenant. Cullinane was a paid organiser of the Plan of Campaign, and in that capacity he traversed Ireland doing his best to stir up illegal conspiracies here and there, and in doing so he did his very best, not to make peace between landlord and tenant, but to make the war between the two classes irreconcilable. This man was brought before the police magistrates for having taken part in an illegal assembly. The magistrates carefully considered the case, and decided that there was not sufficient evidence to prove illegal assembly, but they said that there had been a disorderly crowd menacing to the public peace. Having so decided, it appears to me that they only did their duty in binding the man over to keep the peace. If the man chose to go to prison instead of finding bail he has only himself to blame. The last point of the hon. Member for Tipperary was the case of interference with a funeral in Tipperary by the police. On that subject the hon. Member thought fit to make an eloquent address to the Committee upon the peculiar sensitiveness of the Irish people to any interference with funerals, or to anything in the nature of hard or rough treatment of

those concerned in burying their relatives. I should have thought that it would have occurred to the hon. Gentleman that some of the most flagrant cases of boycotting in Ireland, some of the cases which have most deeply stirred the minds of the English people, have been those in which burial has been refused to persons who happened to disobey the mandates of the Irish League.

MR. W. REDMOND: There has been no such case. It is purely imagination.

*MR. A. J. BALFOUR: Case after case has occurred, and the hon. Member will find some even in the Report of the Special Commission. There are cases in which burial has been refused, in which the coffin has been refused, and in which it has been found impossible for the unhappy relatives to take the remains of the deceased person to the grave with the ordinary decencies which accompany burials in civilised society. Even in Tipperary itself, the town in which took place these alleged interferences by the police with a political funeral, and by that I mean a funeral which is made the occasion for a political demonstration—even in that town there were two cases of recent occurrence in which policemen quartered in the town lost relatives. In one of these cases the wife of the constable died; and as the constable was walking up the street, it being universally known what was the nature of his bereavement, a stone was thrown at him; and when he went to the coffin-maker he was told that the coffin could not be provided unless permission were first obtained. In another case in the same town a policeman lost a child, and when he was burying the child, and he and his wife were near the grave, the funeral party was pelted by a mob of the supporters of the policy of hon. Gentlemen opposite.

MR. W. REDMOND: I rise to order. I ask the right hon. Gentleman when he makes these statements to be good enough to give us the names and dates.

THE CHAIRMAN: The hon. Member has been long enough in the House to know that that is no question of order at all.

MR. W. REDMOND: I gave him the names. Why does not he give the names to us? ["Order!"]

Mr. A. J. Balfour

*MR. A. J. BALFOUR: The name of the constable whose wife died was Connors, I believe; and if the hon. Member will ask a question, I shall have the name of the other constable, as there is no difficulty in obtaining it.

MR. J. O'CONNOR: Were they, the constables, engaged in desecrating Hurley's grave?

*MR. A. J. BALFOUR: I will deal with the speech of the hon. Member for Cork summarily. The hon. Member has raised a variety of minute points of detail in regard to Irish prison accommodation. Of course, I cannot answer such questions on the spot; but if the hon. Member will give notice of a question he shall receive his answer. But on the general question of prison accommodation in Ireland, I can only say that since the prisons have been handed over to the Prisons Board in 1878 there has been an enormous improvement in Irish prisons, an improvement which has steadily gone on, and which I am doing my best to promote. Indeed, I shall have soon to ask the House for assistance in carrying out the work to a completion. The sanitary condition of prisons in Ireland when they were handed over to the Government left much to be desired, as was, under similar conditions, the case with the English prisons. Everything cannot be done at once; but a gradual process has been going on by which I hope that Irish prisons will be brought to the highest state demanded by modern requirements, and by which they will be made to compare not unfavourably with the prisons in England, or on the Continent. A larger question was raised by the hon. Member for North Fermanagh. The hon. Gentleman thought it necessary to make twice during the evening the same speech that he made on Friday last; and now the case having been rehearsed no less than three times in the course of four days, the Committee may be regarded as being in a position to perfectly understand the contention of the hon. Gentleman.

MR. W. REDMOND: It is quite true that I brought the matter dealt with in my

speech of this evening before the House last Friday. My reason for bringing the case forward again is, that the right hon. Gentleman was not in his place on Friday, while he is in his place this evening.

*MR. A. J. BALFOUR: I am sorry to give any reason which would deprive the Committee or the House of any of the eloquence which the hon. Member is always ready to bestow upon it. At the same time, I am bound to say that I do not think the reason which he has given is a sufficient excuse for three times repeating the same speech to a too patient Committee. The hon. Gentleman desires to carry on a controversy, began in either a speech or a letter which he made early in the year or at the end of last year, with regard to the Press prosecutions in Ireland. That speech was the occasion of a reply written by my direction, but entirely by the hon. Member for Dover. That letter I absolutely endorse from start to finish. Now, what was the original contention of the hon. Member for North Fermanagh? He told the public that in every one of these Press prosecutions the man prosecuted had done nothing but supply the public with simple ordinary news. Replying to that statement, my hon. Friend the Member for Dover pointed out in a letter, which I fully concur in, that in M'Enery's case a leading article of a most flagrant nature had been written by an editor, intimidating an individual. If the case had rested there it would have been quite sufficient to have shown the fallacy of the original position of the hon. Member for North Fermanagh, that all these persons were prosecuted for nothing more than inserting in their newspapers ordinary news. Well, how does the hon. Member for North Fermanagh attempt to reply to this? He says that M'Enery's case was exceptional, and that contention was taken up by the hon. Gentleman the Member for the City of Cork, the Leader of the Nationalist Party, who made a speech in the debate on the Address, in which he stated that there was only one case in which the prosecution was not for the publication of ordinary news, and he was replied to by the hon. Member for Dover, who conclusively showed that M'Enery's case was by no means exceptional. In 1889 there were 13 cases of Press prosecutions. Five of these were prosecutions for the publication of imaginary meetings of suppressed branches of the League, seven were for leading articles and one for a leaderette, making eight cases in which an editor had used intimidatory language in his own newspaper.

MR. W. REDMOND: Does the right hon. Gentleman intend to convey that the editors invented the resolutions of the suppressed branches of the League?

*MR. A. J. BALFOUR: I have said that of 13 cases of Press prosecutions in 1889 five were for the publication of imaginary meetings of suppressed branches of the League, and eight were cases in which the editor appeared in his own person as publishing leaders or leaderettes of an intimidatory character. And yet in face of these facts, all of which had been stated in the debate on the Address, the hon. Gentleman the Member for North Fermanagh thought fit to make a speech of an hour's duration on Friday, in which he absolutely ignored all that has been publicly stated in the House, and now he has made another speech also of an hour's duration containing the same stale and exploded allegations. Now, Sir, what is the use of debates in this House? A complete answer has been given to the hon. Member already, but that does not prevent him from repeating his speech; and he has now been answered again, and that, doubtless, will not prevent him from repeating his speech next week. The Committee are threatened with the indefinite repetition of these stale calumnies, which no amount of repetition of fact from this side of the House is adequate to dislodge from the minds of hon. Gentlemen opposite. Every case but one of the 13 Press cases to which I have referred was a case of personal intimidation, and in every case but one an individual was actually named. In one case an individual was not named,

and that was the case which was made a stalking-horse by the hon. Member for Cork City in the debate on the Address, and which has now again been brought forward by the persevering Member for North Fermanagh. That was the case of a man named Walsh.

MR. W. REDMOND: That is not the way to speak of a man who is Mayor of the town in which he resides.

*MR. A. J. BALFOUR: What appeared in his newspaper was this—

"That we look on the farm in question as an evicted farm, and therefore as a derelict, and that the man who takes it is a grabber, and shall be treated as such."

It is quite true that no individual was named in that article; but will any man say that this was not gross intimidation against any individual who might be desirous of taking that farm? We all know, and we all know better since the Report of the Royal Commission, what may be the fate of a man who is named in a newspaper as a grabber, and who is to be "treated as such." This is the favourite instance of hon. Members opposite when they discuss the abuse of Press prosecutions. Are the Government to be blamed for not tolerating the publication of a notice like that in a newspaper circulating in the district in which was situated the farm of which the future tenant was thus denounced? The right hon. Member for Derby loudly cheered when Walsh's case was mentioned by the hon. Member for North Fermanagh. It may be interesting to the right hon. Gentleman to know that this man was, on November 25, 1882, imprisoned by the right hon. Gentleman himself. And for what? For publishing in his newspaper this notice—"That we are sorry to say that John Murphy still holds the grabbed farm from which M'Enery was evicted eight years ago." Thus, in 1882 the right hon. Gentleman put this man, this respectable gentleman, in prison for precisely the same offence for which he was put in prison in 1889 by the present Government. I have now gone through, *seriatim*, all the more important counts of the indictment brought by hon. Gentlemen opposite against the Government; and I will conclude by again entering my protest against this eternal repetition indulged in by hon. Members opposite, which can have no other result but to waste the time of the House, and which excites no interest whatever even upon the other side of the House, I think we may well be spared further criticism on the conduct of the Irish Government until some new question shall arise which may afford some solid foundation for the attacks of hon. Members below the Gangway opposite.

(10.57.) MR. W. REDMOND: The right hon. Gentleman the Chief Secretary has stated that the charges I have made are stale and exploded charges, and has referred to the speech made by the hon. Member for Dover, who, no doubt, is a distinguished authority upon many things, but whose authority on Irish affairs I refuse to accept. The right hon. Gentleman has said that eight out of the 13 Press prosecutions were instituted in regard to editorial matter, and to that statement, whether it comes from the right hon. Gentleman or from the equally distinguished Member for Dover, I must give a most emphatic denial. The right hon. Gentleman will find an explanation of my repeating these charges in the fact that we refuse to accept the statement of the right hon. Gentleman, because we know that in this matter he has been misled. The right hon. Gentleman has spoken of the Mayor of Wexford as I should be sorry to speak of any person in this country. He has referred to him as "that man Walsh." I utterly repudiate that mode of expression, and I say it is hopeless to expect the Irish people to rest contented and satisfied as long as representative men whom they respect are spoken of in that manner. The right hon. Gentleman has referred to the case I brought forward of his police interfering with my hon. Friend the Member for Tipperary, and has said that the funeral was boycotted, and I must say that in the case where a funeral was boycotted I utterly and completely disapprove of such action and always shall. The right hon. Gentleman,

instead of defending the conduct of the police, attempts to defend them by referring to some other cases which he implies are equally bad. But two wrongs do not make one right, and if the people have behaved with brutality in the case of a funeral, I condemn that conduct, just as I condemn the action of the police. The right hon. Gentleman has spoken of a political funeral. It is monstrous to use such language. If the people respect the memory of one who has died, and attend his funeral in large numbers, the right hon. Gentleman says that is a political funeral. I say that the speech of the right hon. Gentleman is most unsatisfactory. The right hon. Gentleman has twitted me with being "patient" in bringing forward these cases two or three times. For his advantage, I say I shall continue to be patient, and to bring up the cases as long as I get no better reply than that which the right hon. Gentleman has made to-night.

(11.0.) Sir W. HARCOURT (Derby): The Chief Secretary was good enough to invite me to intervene in this debate. [Mr. A. J. Balfour: No, I did not.] I do not know then why the right hon. Gentleman introduced my name and challenged an explanation. Whether or not the right hon. Gentleman did this from an exemplary desire to protract the debate, I, of course, do not know. But as the right hon. Gentleman wishes me to speak, I will endeavour to gratify him. I have listened to the speech of the right hon. Gentleman with interest. The right hon. Gentleman talks of repetition of the same speeches by Irish Members in this House as an impertinence. But what did the right hon. Gentleman begin by saying? He said nobody cares about Ireland, and these Irish questions are constantly being raised. [Mr. A. J. Balfour here rose as if to make an explanation.] I hope the right hon. Gentleman, who objects so much to being interrupted himself, will not interrupt me. [Mr. Balfour again rose.] I am in possession of the House. It is well to read to the right hon. Gentleman a lesson in courtesy. When the right hon. Gentleman shows courtesy to his opponents he will receive it himself. It is strange that the Minister responsible for Ireland should hold such language as that of the right hon. Gentleman about the discussion of Irish affairs. It is quite true that the discussion of Irish affairs takes up a great deal of the time of the House, and it is extremely burdensome to Members on all sides of the House. I will not allude to means whereby that burden might be removed. But it cannot be remedied by the Minister of the Crown saying that no attention ought to be paid to Irish questions. The right hon. Gentleman says that time so occupied constitutes an obstruction to business. I am astonished to hear those complaints of obstruction from a Government which has obtained a greater amount of Supply more easily and at an earlier period than I ever recollect to have been the case before. Certain questions have been brought before the House by Members who have a right to be interested in them. How does the right hon. Gentleman deal with these questions? Why, with an air of lofty indignation that he should be called in question with respect to these matters at all. The right hon. Gentleman talks of having a complete answer to these stale calumnies, as he called them. Well, his complete answer seems to be the letters which his private secretary writes to the newspapers. According to the right hon. Gentleman, Irish Members are bound to take whatever the hon. Member for Dover (Mr. Wyndham) may write to the newspapers. [Mr. A. J. Balfour: That was not my answer.] It is the tone and manner of the right hon. Gentleman in dealing with Irish affairs which are the ground for the exasperation felt in Ireland, an exasperation which was never greater than under the administration of the right hon. Gentleman. The right hon. Gentleman takes every opportunity of convincing the Irish people of the contempt in which he holds their complaints. If they are not content with what his private secretary writes, the Irish Members are guilty of impertinence and

obstruction. The right hon. Gentleman was asked about Irish prisons. His reply was, "What do I know or care about prisons? If you ask me a question about it, perhaps I will answer." But the right hon. Gentleman did not happen to be accurate. He is not very accurate, I have observed. It is not the right hon. Gentleman's *forte*. It is not so very long since the right hon. Gentleman told us that he knew nothing about the classes of prisoners; that he never interfered. But the right hon. Gentleman has a short memory. A short memory is an evil, even in a Chief Secretary. This is the very Minister who told us he interfered to save priests from being put in prison dress. How, then, can he say that he never interferes, and has no power to interfere? He can interfere when he chooses. Thus the right hon. Gentleman's statement is absolutely inconsistent with what he stated on former occasions. I will give another illustration of the right hon. Gentleman's inaccuracy—the alteration of the prison rules. A year or two ago we were told that the rules were perfect; that they were better than the prison rules of England. We challenged that statement, and were told it was impertinent to challenge it; that it was presumption to challenge it. But we shamed the Government; we even shamed the right hon. Gentleman, and we got the prison rules of Ireland altered, but it was only done by constant and prolonged discussion in this House. There is a great deal besides prison rules in prison management, and I have no hesitation in saying there has been a harshness in the spirit of administration of Irish prisons which does not exist in the administration of the prisons in England. That is due, I am bound to say, not to any default on the part of the prison officials in Ireland, but I do believe it is mainly due to the spirit with which they are inspired by the language which is held by the right hon. Gentleman in this House, and elsewhere, and in which it is left perfectly apparent to the officials of Ireland that the more harsh and the more severe they are in their treatment the better the Government will be pleased with their conduct. I should say exactly the same thing with reference to the use by the police of their weapons.

Sir W. Harcourt

No one denies in self-defence it is right and justifiable that the police should use force. But there are two ways of handling the police. One way is to encourage them to take every opportunity of using extreme force, and there is another spirit which warns them not to use it unless there is an absolute necessity. Now, I am bound to say that the language of the right hon. Gentleman to-night may be taken as an indication to the police that they should find opportunities of exercising violence. That is the spirit of the administration in which the right hon. Gentleman indulges. Some observations have been made by the Member for Wexford as to the needless and improper interference of the police with funerals, and I entirely agree with the hon. Gentleman. What defence has the Chief Secretary offered for that to-night? None whatever. He has not explained the circumstances nor endeavoured to justify the police. He has not condemned the police as he ought to do, unless he justifies them. The right hon. gentleman falls back upon his usual instrument of *tu quoque*, and gives a list of offences by the Nationalists in reference to boycotting funerals. But what justification is that for police interference? The right hon. Gentleman describes the outrageous conduct of the Nationalists with all the vigour of his rhetoric, but he has not a word of condemnation for the police, who, according to him, did exactly the same thing. This is the right hon. Gentleman's answer to what he calls a "stale calumny." As to the Press prosecutions, the right hon. Gentleman thought they had been disposed of by the Member for Dover in his letters to the *Times*. Although the Government may identify themselves completely with the *Times* newspaper we cannot recognise the *Times* as the sole organ of the Irish administration. Why the letters of the hon. Member for Dover are to be regarded as complete answers of the Government to charges of a serious character I cannot understand, and yet the foundation of the reply of the Chief Secretary is that complaints of the people of Ireland have been answered by the letters of his private secretary in the *Times*.

*Mr. A. J. BALFOUR: I have not said so.

SIR W. HARCOURT: Then my ears must have deceived me. I was mistaken. It appears that the Chief Secretary never referred to the Member for Dover and his letters to the *Times*. Now that I have been assured by the right hon. Gentleman that he did not refer to those letters, I beg to apologise to the right hon. Gentleman for having supposed that he had referred to them. The House will, however, judge with me as to the accuracy of that denial. Now, with reference to the Press prosecutions, I may remind the right hon. Gentleman that I was not Lord Lieutenant nor Secretary for Ireland in 1882, and that I imprisoned nobody at that time. I forgive the right hon. Gentleman for not being aware of that circumstance, and perhaps he will accept that as an explanation of his not being familiar with this particular imprisonment which he said was my work. The reason I cheered the hon. Member who called attention to this matter was that the hon. Member said he thought that when a gentleman had been imprisoned under a Press prosecution, that ought to be regarded as no disability after his sentence had expired for his fulfilling public offices. The particular gentleman alluded to was the Mayor of Wexford, and the hon. Member contended that the penalty for the offence having been paid, the imprisonment ought not to be treated by the Government as a disqualification for ever hereafter. That is a principle which has always been observed in this country. There are many Gentlemen below the Gangway who have been imprisoned. Are you going to apply to them the same rule? Dare you apply it to them? Dare you refuse to put them on Committees of this House? You know you dare not. You know that if you did public opinion would rise against you. There are questions which the Members from Ireland have a right to ask. They have a right to ask why you apply to their constituents principles you dare not apply to themselves, and to that the right hon. Gentleman has given no answer at all. I have listened attentively to the speech of the Chief Secretary, and upon the main point on which explanation has been asked it seems to me that the right hon. Gentleman has given no answer at all. If what the right hon. Gentleman says is the sort of answer which a responsible Government has to give in reference to Irish matters, I am not surprised that Irishmen should wish that their affairs should be managed in a different manner from that in which they are managed now.

*MR. A. J. BALFOUR: I have no wish to prolong this debate unnecessarily, but the right hon. Gentleman declined to give me the ordinary courtesy of interrupting him when he misrepresented me, I hope not deliberately, and therefore I am obliged to make a reply which otherwise I should have spared the House. No man in the House is more habitually interrupted by hon. Members opposite than myself, and I appeal to them if, when an interruption is upon a question of misrepresentation of what they have said, I have not only always given way, but given way gladly. [Dr. TANNER: No, no.] Though he knew I rose to correct a misrepresentation, the right hon. Gentleman used his privilege of being in possession of the House to the utmost, and not only refused to give way but continued to repeat the misrepresentation. The right hon. Gentleman has been pleased to say that my tone and manner are unfortunate, and tends to the prolongation of debates. I regret if that is the case, and I will endeavour to catch the tone and manner of the right hon. Gentleman. If I can only succeed, if only a small corner of the mantle of the right hon. Gentleman will but fall upon me, upon my shoulders, who can doubt but that I shall succeed in conciliating every section in the House, and in making every one believe I have only one object in view, which is to interpret in the most charitable manner the opinions, sentiments, and arguments of

my political opponents. The right hon. Gentleman has told me that I have omitted to discuss with seriousness the question of the alleged ill-treatment of prisoners; but I must remind the right hon. Gentleman that it is only since I have been in office, and not whilst the right hon. Gentleman was in office, that there has been any relaxation of the prison rules in Ireland, and that it was the right hon. Gentleman and his Colleagues, and not I, who have been accused on every platform of Ireland by Mr. Davitt and his friends of torturing Mr. Davitt while he was a political prisoner. The right hon. Gentleman went on to say that I have not dealt with the action of the police in Tipperary on the occasion of the funeral that has been referred to. It is perfectly true that I omitted to state that which is the fact—namely, that the police who did not interfere with the funeral they were nevertheless bound to be present because they had been informed that the funeral would probably be made the occasion of an inflamnatory demonstration. What parallel is there between the conduct of the police on that occasion and the conduct of those who, in that very town, stoned a policeman when he was burying his child, and refused a man a coffin in which to bury his wife?

MR. J. O'CONNOR: The statements of the right hon. Gentleman have been categorically denied in the public Press.

*MR. A. J. BALFOUR: With regard to Press prosecutions, the right hon. Gentleman told the House that the contention I made was that my hon. Friend (Mr. Wyndham) had written a letter—not to the *Times* but to the Press generally—which fully answered the complaints. I never said anything of the kind, and if the right hon. Gentleman had given me the slighest attention, he would have known that what I did say was that the controversy was begun in the public Press by the hon. Member for Fermanagh (Mr. W. Redmond)—the right hon. Gentleman called him the Member for Wexford—and continued by my hon. Friend. It was then carried on in this House by the hon. Member for Cork, whose arguments were replied to without the slightest allusion to the reply given to the hon. Member for Fermanagh. The matter, I said, was introduced a third time by the hon. Member for Fermanagh, again without reference to previous refutations. I said, and I still think, this is an expenditure of public time against which I have a perfect right to protest. I could go on to deal in detail with the right hon. Gentleman's speech, but I will forbear. I will follow the conciliatory example which the right hon. Gentleman has set. I will throw oil on these troubled waters, and will deprive myself of the pleasure of dealing with the other innumerable misrepresentations and fallacies in which the right hon. Gentleman has thought fit to indulge.

*(11.30.) SIR WALTER FOSTER (Derby, Ilkeston): The right hon. Gentleman spoke of two deaths in prison cells as deaths that occurred from heart disease, I want to know whether the prisoners were known to have heart disease, and whether, in spite of that knowledge, they were kept in their prison cells. If so, the treatment was barbarous. If the right hon. Gentleman's officials in Ireland did not know the men were suffering from heart disease, they were inefficient in the performance of their duty, and I want to know which horn of this dilemma the right hon. Gentleman chooses to avail himself of. We hold him, as Chief Secretary, responsible for the health of every person whom he sends to a prison cell, and unless he gives us a proper account of these deaths I must regard him as not having exercised a proper supervision over the prisons.

(11.31.) DR. TANNER (Cork Co., Mid.): I wish to refer again to the death which has occurred in connection with the treatment of prisoners in Clonmel Gaol. The right hon. Gentleman thought fit to pass over the remarks I made earlier in the evening about the sanitation of the gaol. I did not at that time try to bring under his notice a case which at the present time commands public attention in Ireland. It is a case in which Mr. Morrison opened an inquest at Tipperary yesterday upon the death of Mr. Cleary. This poor young man has met with his death in prison. The right hon. Gentleman talks about heart disease, and he talks about the

medical gentleman upon whom he relies—as he relied upon Dr. Barr. I have here an account of what Dr. Connelly said about this man. He states that no competent man could have examined him without discovering that there was a chest affection which required treatment. He examined him previous to his death and found him suffering from that chest affection, and after the poor young man's death he had an opportunity, by means of a *post mortem* examination, of verifying his diagnosis. I must say I pity Mr. Morrison, but I ask whether a man who was previously the inmate of a lunatic asylum is a fit person to act as medical officer of a gaol and to carry out the right hon. Gentleman's commands? Dr. Connelly says there were three large cavities discovered in the upper lobe of the left lung of the deceased, as well as a large abscess; that there were morbid adhesions on the lobes of both lungs; and that there were also pleuritic adhesions. Well, this poor man, with a disease which was evidently of long standing, was treated to the inhumanity of being confined in a prison cell by the medical man whom the right hon. Gentleman has stood up again and again in this House to defend in connection with the treatment of my hon. Friend the Member for North-East Cork (Mr. W. O'Brien). That medical man has condemned this poor fellow to death. I should like to have some explanation of this case, and I hope the right hon. Gentleman will not turn his back upon us again, but will try as a gentleman to answer our complaints, although we happen to be mere Irish Members.

THE CROFTER COMMISSION.

(11.37.) DR. CLARK (Caithness): I want to say a word or two on a question outside of Ireland. I am compelled to do so because we have been unable dnring the last two years to get the question brought before the House—I refer to the proceedings of the Crofter Commission. I am much dissatisfied, first with the increasing cost of the Commission. Last year we voted over £9,000, and we have voted a supplementary £1,000. This year the Estimate has increased to £9,600 for extraordinary payments to Sheriff's officials. During the three and a half years the Commission has been in operation it has had about 7,000 cases before it, and it has reduced rents from £40,000 to £28,000. This is being done at a cost of over £10,000 a year. The fact is that if you had voted the money to the people in the first instance they would have been richer than under the present system, because the Commission has cost more than the people have got in rebate of rent. I brought in a Bill by which the Crofters' Commission could sub-divide itself into three portions. Since that subdivision very curious things have occurred, Two and a half years ago the reductions of rent were 50 per cent., and of arrears about 75 per cent. Last year a change occurred. In the old Court there were three Commissioners, the chairman being a Sheriff, who, I believe, tried to act as fairly as he could, and his assessors being, one an old factor, and the other a large farmer. Under that Court the reductions were what I have stated. The old factor is now chairman and his assessors are two large farmers; the result being that the reductions in rent are not more than 30 per cent., whilst, with regard to arrears, instead of adopting a fair system, the Commissioners are taking a course which will land all the small farmers in the Bankruptcy Court. They are required to pay a sum equal to three years' rent. But they cannot do it. It is a physical impossibility. They have been rack-rented, and, having been rendered poor in that way, they find it impossible to pay three years' rent in one year; the consequence being that the landlord sues them. Unless something is done the result of this will be rioting and disturbance in Caithness and some other places. The people are not going to lose the rights they possess under the Act quietly. I would point out—although I do not dwell upon it now—that it is hardly a usual thing for a gentleman who is going to be a Judge in these cases to go and dine with the landlords and their factors. I am sorry that we have held our tongues so long. There is no doubt that grave

dissatisfaction exists at the attempts which are being made by legal process to turn these men out of their holdings; and I tell the Lord Advocate and the Government that the probability is that if an attempt is made to carry out this unjust eviction it will be resisted. Something must be done to put a stop to this endeavour to collect impossible arrears at an impossible time; at any rate, the people should have the right of appeal to the three Commissioners sitting together—though how the appeal could be heard I do not know, if one of the Commissioners goes to Mull, another to Sutherlandshire, and another somewhere else. If the Commissioners meet to hear appeals before the evictions are attempted, much trouble will be saved.

*(11.44.) MR. W. H. SMITH: The observations of the hon. Member will receive the early attention of Her Majesty's Government. And now I wish to appeal to hon. Members to allow this Vote to be taken at once. It is necessary to the convenience of the House that the Vote should be taken to-night. There are also two Resolutions in Committee of Ways and Means which must be agreed to, and which, if not taken to-night, will necessitate the House sitting on Saturday.

IRISH ADMINISTRATION.

MR. J. O'CONNOR: I do not wish to stand between the House and the suggestion made by the right hon. Gentleman, but I should like, for a few moments, to protest against the charge made by the Chief Secretary against hon. Members on this side of the House. He stated—and I repudiate the accusation—that we brought forward these charges this evening for the purpose of obstruction. The subjects touched upon were not stale, but new, and some of them are subjects of the greatest interest to my constituents in Tipperary. I should have been wanting in my duty to the people who returned me to Parliament if I had not dealt with them. The right hon. Gentleman complained of interruptions whilst he was speaking, but if there were interruptions, they were evoked by the right hon. Gentleman's inaccuracies, which were only equalled by the insolence of his manner towards the Irish Members. His conduct here to-night was anything but what the conduct of anyone occupying his position ought to be. The assertion of the right hon. Gentleman that punishments were inflicted because offences were committed in time of riot was absolutely inaccurate, the magistrates having declared that there had been no rioting. As to the case of Cullinane, he was described as a "paid organiser of the League," but such is not the fact. He was only a Poor Law Guardian, and the proceedings in respect of which he was sentenced were not, as were declared by the right hon. Gentleman, riotous and disorderly, but perfectly orderly, as the magistrate had admitted. Then in the case of the 16 young men sentenced to various terms of imprisonment, the right hon. Gentleman, when he declares that they were prosecuted for having taken part in riots, was absolutely and entirely inaccurate. It was the making of such statements as these which compelled us to interrupt him, and which compels me to occupy the time of the Committee for a second time to-night against my wish. With regard to the policemen against whom a Tipperary jury have returned a verdict of wilful murder the right hon. Gentleman says that the law will take its course and that the policemen will be brought up at the Spring Assizes. But I should like to know why they could not be brought up at the Winter Assizes? Why should they be allowed to remain under the stigma fixed upon them by the verdict of the coroner's jury any longer than is necessary? With regard to the boycotting of the funeral, the Chief Secretary did not deny that the grave was desecrated by the police, and his only reply to our charge was to bring forward two other cases of boycotting at funerals. The answer to him is, as has been pointed out by some of my hon. Friends, that two wrongs do not make a right. I do not, however, take my stand upon that, but I say that the truth of the allegations brought forward by the

right hon. Gentleman has been categorically denied in the Irish Press. Then the right hon. Gentleman has made no answer to the complaints we have made as to the treatment of prisoners in the Irish gaols. He has not disproved the accusation that the rules made for the benefit of political prisoners have been turned to their disadvantage through the operations of the Irish Prisons Board. The right hon. Gentleman has not met my case, and I still contend, and shall continue to do so, both in and out of the House, that Irish political prisoners have been deprived of the privileges which the English people intended them to enjoy. Neither has the right hon. Gentleman met my case as to the Resident Magistrate Roche and Crown Prosecutor Bolton, the conduct of whom has been nothing more nor less than an incitement to murder. The inaccuracies of the Chief Secretary have been wilful, and they, together with his insolence and discourtesy, provoked the interruptions of which he complained. The right hon. Gentleman in his attitude towards Members of this House is sowing the storm, and one of these days he will reap the whirlwind.

*(11.55.) MR. P. O'BRIEN (Monaghan, N.): I desire to deal with one statement of the right hon. Gentleman the Chief Secretary, as it bears upon a subject of which I have knowledge, but of which he has none. He said that coffins for the burial of a policeman and a policeman's child were ordered from a local undertaker, who stated that he must get leave from the League before he supplied them. The right hon. Gentleman wished to convey the impression that the coffins were refused, but that is absolutely untrue, as I can vouch on the authority of the most respectable people in Tipperary. He also said that Tipperary had been in a state of riot; that I deny. It is not the fact that Tipperary is in a state of riot, or that there is any disposition on the part of the people to riot; and if riot occurs it will be the minions of the Government who will bring it about, backed by Members of the Government, who have formed a syndicate to help an evictor, which syndicate they support by the forces of the Crown. On the syndicate are the Duke of Devonshire, the Duke of Westminster, and the Earl of Lathom. There are also on it Cabinet Ministers—Lord Cranbrook and Mr. W. H. Smith. Yes, the leader of the House has contributed money to back up an evicter, and now he lends his influence in the Government to get the syndicate to which he has subscribed supported by the forces of the Crown. These are the people who are responsible for all the troubles taking place in Tipperary. But their efforts are useless. Old Tipperary stands where she has always been, but empty and desolate; whilst new Tipperary is rising up like a flower, and Smith-Barry, with all his syndicate and Crown forces, cannot get tenants for the premises and farms, from which he has evicted the people, nor will he succeed in letting them until they are back in possession of their old homes. I desire here to give the hon. Member for Fulham (Mr. Hayes Fisher) notice that on a future occasion I shall have something to say of him in his capacity of emergency man in chief at evictions. If he goes over to Ireland again on the same errand I warn him that I shall be on his track, and I hope the Government will not do as they did on the last occasion when he superintended the evictions on the Olphert Estate in Donegal on the last Queen's Birthday; that is to say, allow the hon. Member who has no connection with Ireland within the cordon whilst keeping me—the Representative of an Ulster Division—outside.

(11.59.) DR. TANNER: I should like to ask the leader of the House to give us an opportunity of debating the question of the dissolution of the Cork Board of Guardians.

Question put, and agreed to.

Resolutions to be reported to-morrow.

Committee to sit again to-morrow.

WAYS AND MEANS.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DR. TANNER: I object.

*MR. W. H. SMITH: I must appeal again to the hon. Member. The effect of his insisting upon his objection will

be to throw this formal business over for another day; and as the time before us is limited wherein we must conclude our financial business, it may be necessary to ask the House to submit to the inconvenience of a Saturday sitting. I shall further consider it my duty to put down a Motion asking the House to give precedence to Ways and Means to-morrow over the Motion of the hon. Member for Northampton.

DR. TANNER: I am not dismayed by the prospect held out by the right hon. Gentleman. I am not afflicted with the "blue" craze; my only desire is that business should be conducted with decency.

MR. SEXTON (Belfast, W.): I trust my hon. Friend will have regard to what appears to be the general opinion.

DR. TANNER: Of course, after that appeal from my hon. Friend, I will not persist in my objection. Personally I have no objection to attend here on Saturday, but after the remonstrance addressed to me I yield, and hon. Gentlemen will be free to follow sport on Saturday.

Question put, and agreed to.

Considered in Committee.

(In the Committee.)

1. Resolved, That towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1889 and 1890, the sum of £548,181 6s. 3d. be granted out of the Consolidated Fund of the United Kingdom.

Motion made, and Question proposed,

"That, towards making good the Supply granted to Her Majesty for the Service of the year ending the 31st day of March, 1891, the sum of £16,395,203 be granted out of the Consolidated Fund of the United Kingdom."

DR. TANNER: There are several points I should like to raise on this very large Vote of 16 millions, but at this late hour I will not do so. I trust right hon. Gentlemen themselves see the inconvenience to Members of passing a Resolution involving 16 millions at this time of night.

Resolution agreed to.

Resolutions to be reported to-morrow.

Committee to sit again to-morrow.

LUNACY CONSOLIDATION BILL

[LORDS.]—(No. 191.)

SECOND READING.

Order for Second Reading read.

DR. TANNER: I object.

*MR. W. H. SMITH: I hope the hon. Gentleman will allow the Bill to be read a second time. It will go before a Select Committee and be considered carefully. The hon. Member is aware it is a Consolidation Bill only, and it is to the interest of the entire community that the consolidation of Statutes should be effected as speedily as possible.

DR. TANNER: I object.

*MR. H. H. FOWLER: I hope the hon. Gentleman will not think it necessary to insist upon his objection. This consolidation is part of the scheme arranged last year. We then amended the Lunacy Acts and left the Consolidation until this year.

DR. TANNER: I simply think that this is not a favourable time for considering such a measure. There are many points in connection with the Lunacy Laws to which I should like to call attention. Standing No. 12 on the list, no one ever supposed the Bill would be taken to-night.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No doubt there were points in the Bill of the Session 1888 in which we were not in entire accord with the hon. Member, but I think he will see this is a purely Consolidating Bill, not an amending Bill.

DR. TANNER: Do I understand that it is to go before a Select Committee?

MR. MATTHEWS: Yes.

DR. TANNER: On that understanding I have no objection to the Second Reading.

Bill read a second time, and committed to a Select Committee.

ARMY ANNUAL BILL. (No. 194.)

SECOND READING.

Order for Second Reading read.

DR. TANNER: I object.

MR. A. O'CONNOR: Has the Bill been printed and circulated?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Yes, I understand it has been printed, and that copies can be obtained at the Vote Office.

MR. A. O'CONNOR: Very often a Bill of this kind contains important Amendments.

MR. STANHOPE: They may be considered in Committee.

*MR. SPEAKER: Objection to taking the Bill after 12 o'clock does not apply, as the Bill is brought in in pursuance of the provisions of a Statute.

MR. CAUSTON (Southwark, W.): As a matter of order, Sir, can a Bill be read a second time before being printed and circulated?

*MR. SPEAKER: That is not a matter of order; it is a matter for the House to decide.

MR. SEXTON: If we bring forward a Bill that does not happen to be printed, objection on that ground is considered conclusive; my memory recalls several such instances. If this is binding against a private Member who has not complete command of facilities for printing, surely it ought to be binding against the Government. It would be a culpable breach of duty, I think, to allow the practice without protest; and I would request, Sir, that the Bill should not be read a second time to-night.

*MR. SPEAKER: It is for the House to judge.

MR. SEXTON: If the Government persist, I shall move that it be set down for to-morrow.

MR. E. STANHOPE: It is really a point not worth setting up now. I have the printed Bill in my hand, and copies of it can be had in the Vote Office. But if hon. Members prefer that the Bill should be taken to-morrow let it be so.

Second Reading referred to to-morrow.

INFECTIOUS DISEASE PREVENTION BILL.—(No. 80.)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the Speaker do now leave the Chair."—(*Mr. Knowles.*)

DR. TANNER: I object.

DR. FARQUHARSON: I would appeal to my hon. Friend who takes, I know, a deep interest in sanitary matters, to allow us to proceed with this Bill, which will be a most useful measure.

DR. TANNER: I should be most happy to do so, but again and again I have expressed my opinion against proceeding with legislation after 12 o'clock, and, as a matter of principle, I must maintain my objection.

MR. SEXTON: I think, on reflection, my hon. Friend will be disposed to agree with me that it is better to have a useful measure passed after 12 o'clock than not to get it at all. There are several provisions in this Bill which have undergone consideration year after year by the Committee on Police and Sanitary Regulations.

DR. TANNER: I cannot understand the appeal of my hon. Friend.

Question put, and agreed to.

Bill considered in Committee.

Clause 6.

Objection being taken to further proceeding, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

MERCHANT SHIPPING ACTS AMENDMENT BILL (No. 103).

SECOND READING.

Order for Second Reading read.

MR. HOWELL (Bethnal Green, N.E.): The hon. Member in charge of this Bill desires me to say that he has arranged with the officials of the Board of Trade as to certain Amendments to this Bill, and if the Bill is permitted a Second Reading those Amendments shall be placed upon the Paper. I do not suppose the House will desire me to go through the Amendments; I may say, however, that every one of the suggestion made by the Shipping Companies have been carried out in these Amendments.

Motion made, and Question proposed, "That the Bill be now read a second time."

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): I would second the appeal of the hon. Member that the Bill should be read a second time. Great care has been taken in drafting the proposed Amendments to the Bill, which include reference to the recommendations of the Load Line Committee, and which have the approval of the Board of Trade and the shipping interest.

*COLONEL HILL (Bristol, E.): I may perhaps say that the Amendments which have been adopted by the Board of Trade and accepted by the promoters of the Bill have the approval of several of my shipping friends and myself.

MR. CALDWELL (Glasgow, St. Rollox): The shipowners of Glasgow have asked me to object to this Bill. I am sorry to oppose it now, for I never like blocking a Bill. Will the hon. Member be satisfied to allow the Bill to stand over until Monday?

MR. HOWELL: If the hon. Member knows that the shipowners to whom he refers had the opportunity of urging their views on the Board of Trade and did not do so, it may alter his view. Every opportunity will arise for discussing Amendments in Committee.

MR. CALDWELL: I understand that a deputation was to wait upon the Board of Trade, and has not yet done so.

*SIR MICHAEL HICKS BEACH: Perhaps I may be allowed to explain that the shipowners requested me to give them an interview, and last Tuesday was fixed for the purpose, but subsequently they sent word that they were unable to come.

MR. CALDWELL: Leave it until Monday.

SIR W. HARCOURT: As my name is on the back of the Bill, I may join in the appeal to my hon. Friend not to press his objection. The Bill deals with matters of great importance for the interest of our seamen. Future stages will allow full opportunity for discussion.

MR. CALDWELL: I withdraw my objection.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

MOTIONS.

HERRING FISHERY (SCOTLAND) ACT (1889) AMENDMENT BILL.

On Motion of Mr. Anstruther, Bill to amend "The Herring Fishery (Scotland) Act, 1889," ordered to be brought in by Mr. Anstruther, Mr. Esslemont, Mr. Malcolm, Mr. Munro Ferguson, and Mr. Vernon.

Bill presented, and read first time. [Bill 196.

PUBLIC HEALTH ACTS AMENDMENT BILL.

Ordered, That it be an Instruction to the Select Committee on the Public Health Acts Amendment Bill and the Urban Sanitary Authorities (Further Powers) Bill that they have power to consolidate the two Bills into one Bill.—(*Mr. Henry H. Fowler.*)

INFANT LIFE PROTECTION BILL.

Ordered, That it be an Instruction to the Select Committee on the Infant Life Protection Bill that they have power to insert Clauses dealing with the insurance of Infants' Lives.—(*Mr. Henry H. Fowler.*)

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Friday, 21st March, 1890.

VISCOUNT LIFFORD.

Report made from the Lord Chancellor, that the right of James Wilfrid Viscount Lifford to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

IRELAND—SPECIAL COMMISSION (1888) REPORT.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, it is my duty to move a Resolution of this House thanking the Judges who were appointed under a Statute which was passed about a year and a half ago for the exertions which they have made and the industry which they have devoted to the heavy task which we laid upon them, and also to move that your Lordships adopt the Report, and record it on the Journals of this House. To the first part of that Resolution I imagine there will not be a single dissentient. Everybody will have felt admiration for the zeal, the unflagging industry, and the evident impartiality with which the distinguished men to whom this task was assigned undertook and carried out the unwonted duty which Parliament had imposed upon them. It is a matter of great congratulation to us that we can command for duties of investigation which have been approved by Parliament—I do not, at this moment, inquire into the policy of that approval—talent so distinguished and detachment so complete from the controversies by which the rest of the community is divided. My Lords, I anticipate also the concurrence of your Lordships' House in the proposal that I make that we shall adopt the Report, and that we shall record it on the Journals of this House. It is a very valuable Report in many ways. It gives a very complete view of a very curious episode of our internal history, and I am sure that we shall all recognise at once the judicial qualities and the literary merits by which it is signally marked. It has also to me another value, that it brings before us things and collects knowledge which, to many of us, is absolutely new. To those who were in office during the years which are covered by the investigation of this tribunal the facts which they bring together may not be so new as they are to others; but speaking generally, and having reference to persons who may not have had special means of information, I think that the mass of facts which they have collected together are matters of the deepest interest, not only in the history of this country but to the student of the philosophy of Government and of revolutions. I see a noble Lord has just entered the House who was himself very closely connected with the Government of Ireland; and it occurs to me that while I am referring to what is new—for it is almost all new—in the Report of the Commissioners, I may take the opportunity of calling his attention to a matter that was very new indeed to me, and, I hope, was new to him. Attention was called to it in another place, but very naturally it was said that in another place the noble Lord, the late Viceroy, was not present, and had not that opportunity of answering, which the courtesy of Parliament always gives to those who are responsible for the conduct of affairs. The matter to which I desire to call the attention of the noble Lord, and perhaps to extract some statement from him in regard to it, is the evidence given by Mr. William O'Brien with respect to the position occupied by the noble Lord towards his own subordinates. Mr. O'Brien, as the House is well aware, has distinguished himself, and I think he especially distinguished himself during the late Government, by the extreme violence of the language which he used in describing the political, intellectual, and moral character of the noble Lord, the late Viceroy of Ireland, and of all persons who were employed by Her Majesty's Government in the government of Ireland. I find that when Mr. O'Brien was under examination before the Special Commission he was asked whether, in view of the notorious political arrangements of the day, he still entertained the opinion of the noble Earl which he had expressed with so much freedom, both of letterpress and of pictorial illustration, during the time

when the noble Earl held his Viceroyalty. Mr. O'Brien replied that he did not; but he was pressed very much to say why he had changed his mind, and what justification he gave for the atrocious insinuations and for the atrocious accusations which he levelled at the head of the noble Earl, and which I may say, though I was in Opposition at the time, excited the deepest indignation as well among the noble Lord's opponents as among his friends. The answer of Mr. O'Brien is so peculiar that I think it requires the notice of the noble Earl. "Unhappily," he said—

"We did hold Earl Spencer and Mr. Trevelyan responsible for the acts of their subordinates in Ireland. As to Earl Spencer and Mr. Trevelyan we were wrong, absolutely wrong, and I am sorry that there was ever an imputation of the kind. But as to his subordinates we were absolutely and in every particular right. We have found that we were wrong as to Earl Spencer, and I think Earl Spencer has found that we were right as to his subordinates."

That is a most atrocious imputation, and of all the atrocious imputations which have been levelled at the head of the noble Earl that is, to my mind, the vilest and the foulest—that he should be able to put off upon the shoulders of his Constitutional advisers and subordinates the obloquy which had been in the first instance levelled at himself. I feel convinced that in mentioning this to the noble Earl I shall only be giving him an opportunity of indignantly repudiating it, and of saying that, whatever took place in Ireland at that time, it was not the subordinates but the Viceroy and the Chief Secretary who were responsible, and exclusively responsible. This accusation departs so much from our ordinary political conditions that I have thought it better to make an exception from the salutary rule which I hope to establish —that is, not to trouble your Lordships with any extracts from the evidence. But this case is so abnormal and exceptional that I think that the first time it is mentioned in your Lordships' House the noble Earl should have a full opportunity of denouncing it. In this as in other matters I say that we owe gratitude to the Commission for the collection of much valuable and novel information. I do not gather that I shall find any difference of opinion among noble Lords on the other side on this point. I do not find that in the other House of Parliament any objection was made either to the adoption of the Report or to the recording of it on the Journals of the House. But a certain Amendment was moved. I have not seen any notice of a similar Amendment here, and I do not know whether such will be moved. I hope it will not. But the Amendment moved in the other House was to the effect that we ought to select one particular finding of the Judges for the purpose of congratulating the persons whom it affected. Now the Report of the Judges, my Lords, may be summarised without injury to this effect. They found that some of the respondents were guilty of establishing and joining in the Land League Organisation, with the intention by its means of bringing about the independence of Ireland as a separate nation. They find that all the respondents entered into a criminal conspiracy, by a system of coercion and intimidation, to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled the English garrison. They find that the respondents disseminated the *Irish World* and other newspapers tending to incite to sedition and the commission of other crimes. They find that the respondents did incite to intimidation, and that the consequence of that intimidation was crime and outrage. They find that the respondents did not denounce the system of intimidation which led to crime and outrage, but that they persisted in it with knowledge of its effect. Well, this indictment, like many other indictments, contains a great number of counts; but on those counts of the indictment the respondents are found guilty. On other counts of the indictment they are found not guilty, especially upon the counts which were rested on certain letters, which the Judges have found to be forged. It was proposed in another place, and perhaps it will be proposed here, that we should congratulate the defendants on the counts on which they were not found guilty. Now we have the advantage in this House of the presence of several distinguished criminal Judges. I would venture to ask them whether such a practice as that has ever prevailed in the Courts over which they

preside — whether, after condemning defendants to penal servitude or to capital punishment for the counts on which they are found guilty, they are in the habit of adding an elaborate apology for the counts on which the condemned are found not guilty? It would introduce a totally new element into the conduct of criminal affairs; and I hope we shall not give what would be a bad example, and would lead to the impression that if a man was not found guilty of all that he was accused of he was to be congratulated in respect of that of which he had been acquitted. I have another reason why I very much deprecate any such Amendment, if there were any intention of moving one. That is, that it would sanction a peculiar and prominent character which has been most ingeniously and most cleverly given to what are called the *fac simile* letters, and what I will call the forged letters. I do not think I ever saw a Parliamentary manœuvre devised with more ingenuity or carried out with more tenacity and success. Those who were involved in these accusations have contrived to impress upon a considerable portion of the public that the main object of this investigation was the investigation into the letters which had been produced, and that the object for which the Commission was appointed was the investigation of that question, and of that question exclusively. That theory is capable of a very simple test. I suppose that as the Commission was appointed on the motion of the Government the speeches of those Members of the Government who introduced and moved the Second Reading of the Bill are some indication of the objects with which the Commission was appointed. If any noble Lord will take the trouble to read the speech of my right hon. Friend Mr. Smith, the leader of the other House, in which he moved the Second Reading of the Bill, he will find that there was not one word of reference to these letters which have been thrust into this prominent position. If any noble Lord will do me the honour to read my speech in moving the Second Reading of the Bill he will observe that I made no allusion whatever to these letters. I did not do so, because I never attached that importance to them which it was convenient for noble Lords opposite and Members of the Opposition in the other House to attach to them. The letters were put forward as if they charged some special crime of which no other evidence existed. It was represented that they charged complicity with murder. I never was able to understand by what alchemy that meaning was extracted from the language of any of these forged letters. What they did prove, according to the natural and evident interpretation of them, was that the writer, for the sake of securing the support of persons who had practised violence as well as of persons who did not practise violence, was driven to a somewhat ambiguous statement of his opinion, and was compelled to express approbation or lack of disapprobation for a murder which probably, had he not been under that stress, he would have unreservedly disapproved. But if the non-expression of disapproval for a crime committed for the purpose of compassing a political object is something so terribly base, so fearfully dishonouring, as noble Lords and hon. Members have been pleased to regard it, I can only think that the whole of the Party opposite have been very much disposed to be moderate and temperate in their denunciation of allies whose alliance was precious to them, whose conduct was not all they could desire, and with respect to whom they observed a careful reticence. It appears to me to be an extravagant interpretation of the forged letter to deduce from it complicity in murder; but it is not extravagant at all to deduce from it a desire to keep well with those by whom murder has been committed. I am not therefore prepared to admit that there was any special significance in those letters, concerning which, as soon as their forgery was well ascertained, so strong an opinion was raised on the opposite side of the House. They were but part of a general proof, of which the Report furnishes abundant details, that the Parliamentary Party were prepared to make use of the crimes committed by the un-Parliamentary Party, though they themselves were free from any specific implication in any of the crimes committed. When I had the honour of moving the Second Reading of the Bill, I pointed out a very curious and a very remarkable state of things which required investigation, and for which the creation of such a Commission

was specially desirable. I pointed out that there were two organisations seeking the same end in Ireland. There was the organisation of the Parliamentary Party seeking it by Constitutional means, and there was the organisation of the party of violence seeking it by murder and by outrage, and by every species of illegal practice. The strange thing and the matter that required investigation was that almost all the success of the Parliamentary Party was due to the action of their violent allies; that if they were able to act upon politicians, if they were able to affect the social condition of the country, if they were able to establish themselves as a factor of any importance in the social and political discussions of the time, it was due to the violent action of the organisation, all knowledge of which they disclaimed, and from which they professed they never had assistance or support in any manner. We had shown some scepticism as to this. We did not charge them with complicity with crime. We charged them with using crime, and we said that there was communication between the two parties which enabled the Parliamentary Party to allow crime to go forward or to restrain it in proportion as their political necessities might require. As it has been well expressed, they had their hand upon the throttle-valve of crime. When they allowed crime to go forward, it acted; when they suppressed it, it retreated; and we were unable to admit that no alliance of a tacit character existed between bodies connected by such phenomena as these. What have the Judges found? They found, in the first place, that crime in Ireland is not proportionate to misery in Ireland; it is not mainly due to misery in Ireland; that when evictions are highest crime is not highest, and when crime is highest evictions are not highest. The figures by which these facts are established are of a striking character; they are drawn from the experience of the great famine, and they show that there is no connection whatever between the amounts of crime and eviction — between the assumed oppression by the landlord of the tenants and the crime by which Ireland has been defaced. Well, then, to what is crime in Ireland due? Is it due to organisations? Perhaps I had better give the figures to which I have alluded, because they are important.

The Marquess of Salisbury

The year 1849 was the first year in which the statistics relating to eviction and crime were compiled. For the four years from 1849 to 1852 there were 58,000 evictions and only 4,000 crimes. For the four years from 1879 to 1883 there were 12,000 evictions and 11,000 crimes; so there is no connection in the variation between evictions and crime. What the Judges have found is that this connection between the two organisations, which we were only able to suspect, exists in reality; that the Parliamentary Party did incite to intimidation, and, knowing that it led to outrage and murder, they still persisted in intimidation; that they did encourage the circulation of papers in which outrage and sedition were advocated; but that it is quite true that they took part in no individual crime. The revelation the Judges are able to make to us has great gaps in it; their information is unfortunately imperfect in some most important and remarkable particulars. We know that hundreds of thousands of pounds were poured into the treasury of the Land League, but the records of the expenditure have been destroyed, and all the correspondence connected with the administration of the money has been destroyed also. One fragment has survived, and our inferences have been criticised on account of the smallness of that fragment; but just as you can construct the fauna of a byegone palæozoic age from a bone, a scale, or a footprint, so we are able to tell from the fragment of this correspondence which we have discovered that these men had a knowledge of the commission of crime. When a man was compensated for a wound he had received in the commission of crime, we can form some idea of the real object for which money was spent and the purposes to which the organisation was directed. I have no doubt the Parliamentary Party never contrived a murder; I have no doubt that they were never implicated in any individual murder; but they did that which they knew by experience produced murders; and they continued to do it. Can you say that they are entirely free from all responsibility for the murders that went on? It seems to me it is a relative condition of criminality, which you often find in other branches of crime. There are tradesmen who will buy spoons

from footmen, or jewels from ladies'-maids, but nothing would insult them more than the suspicion that, under any circumstances, they could be capable of stealing either trinkets or plate. They know perfectly well what the result of their action is, and they hope to profit by that action, but they are much too wise ever to involve themselves in any direct connection with the crimes which are committed. I do not think that in the discussions which we have already had upon this subject there has been any substantial effort made to clear the Irish Parliamentary Party from this amount of complicity with crime—that they did that which did produce, and which they knew would produce, crime, and that they, having that knowledge, continued to do those acts. But under the stress of political necessity we have had many new ethical theories started lately. The doctrine now seems to be that you may commit any crime, may break any law, as long as you do it for the purpose of overthrowing existing institutions. It is a great re-action. Formerly treason was the greatest of all crimes, and carried with it as its consequence the most terrible of all punishments. But opinion has whirled entirely round, and now you may say of treason, that, like charity, it covereth a multitude of sins. It is sufficient to say that these men were treasonable, that they desired to sever the connection between Ireland and England. It is sufficient to say that they were opposing the law in order that they might obtain from former Cabinet Ministers, and I daresay that they will obtain to-night, from a former Lord Chancellor, full absolution for all the crimes that they have committed, or that they have encouraged. But we ought to be very careful how we extend this doctrine of the immunity of treason and the innocence of crimes because they belong by their nature to what are called political crimes. It is a curious fact and defect in our ethics that though we condemn under all other circumstances, robbery, fraud, mutilation of dumb animals, breaking into houses at night, dragging men from their beds and shooting them, with deadly results or with the result of inflicting upon them dangerous wounds, these acts are venial because the motive with which they are done—or, at all events, the motive with which they are encouraged—is that of resisting the constituted Government of the country. No doubt we feel that in revolutions, when they take the form of war, many of the motives of those who have taken part in them are of a much higher character than the motives of those who commit ordinary crime; but you surely require that ordinary crime under those circumstances shall not be made the instrument by which the established Government is assailed. We have had plenty of revolutions. We know their philosophy by this time tolerably well. We have had successful revolutions — successful by reason of the distance of the subject country from the Mother Country. The whole of the continent of America, from the St. Lawrence to the Southern Pole, has been freed or severed from European government by successful revolution. We have had successful revolutions, mainly by means of foreign assistance, in this part of the world, in Greece, Belgium, and Italy. We have had unsuccessful revolutions, attempts to free the islands of Corsica and Sicily, but I will venture to say that in the case of none of them can you find it recorded that the instrument and the weapon on which the revolutionists principally relied was that of assailing the ordinary rights of a vast class of peaceful inhabitants, and of pursuing them with outrage and murder, conducted by organised secret societies. Such things have never been encouraged by those who have led revolutions up to this time, and if we ought to claim a special immunity for revolutionary acts, at least we ought to insist that the revolutionary Code, such as it is, should be scrupulously observed. If we are to be told that no commandment is binding, that no outrage is horrible, that no virtue is to be insisted upon if it is contrary to the interests of the revolutionary party, you undermine all the principles of morality by which society is held together, and you will reap the evil results of the ethical system to which, in an evil hour, under political stress, you have given your adhesion in matters differing very much from, and far deeper in importance than, the Irish question which we are now considering. I think I saw that one defence of all the horrible things which have been done in Ireland, and which we all know have been done

in consequence of the system of intimidation which the Irish Parliamentary Party have knowingly encouraged, was that all those horrible things were justified because they contributed to wringing from Parliament the Land Act of 1881. I have often said that I am no admirer of that Act. I take a very adverse view of it, and I am not alone in that. However, I do not wish to discuss its merits now. I merely wish to point out the extraordinary ethical morass into which we have wandered when it can be deliberately and gravely maintained that it is justifiable to encourage and permit all these horrible crimes, if by so doing you can hope to pass an Act of Parliament on which a section of the community look with approval. It follows that if the Act of Parliament is not to be approved the actions by which it has been compassed return to the condition of horrible crimes, from which you seek to bring them out, and you have thus laid down a doctrine that the end justifies the means, more completely and more recklessly than any school of Jesuits has ever ventured to propose it. We have often been warned in these discussions that we are dealing with personal questions and attacking men's personal honour. Well, at all events, in this Assembly we have no need to fear any such imputation. To us these men against whom these imputations have been made are mere names, and if we take an interest in their innocence or their guilt it is not on account of the individuals themselves; it is not because we wish to load any individual with blame, or because we wish to make a case against any political opponent, but because we wish to elucidate the conditions of a political society which is having at present the deepest effect upon the fate of this country, and which, if the aspirations of those who are struggling in unison with the Irish Parliamentary Party should be crowned with success, will have a more indelible effect upon English history than any previous incident in the long career of this country. These men have been found guilty of criminal conspiracy, and of inciting to intimidation, knowing that it resulted in crime, but I do not for a moment suggest that they themselves have been marked with any particular wickedness. The interest, the fearful interest, of this decision lies in the fact not that the individual men have been guilty of these things, for they are mortal and will pass away, but that they indicate the spirit which animates the whole body of men who, if successful, will before long be the undisputed rulers of Ireland. These are the men to whom it is proposed to hand over all that is loyal, all that is Protestant, almost all that is industrious and flourishing, and, above all, the sections of the community which through good and through evil have clung to England. In the immorality which this Report strikes at and brands you will see the spirit, if they succeed, of the future governors of Ireland. When the American war was going on you might have prophesied, from the conduct of George Washington, what the conduct of the future American Government would be. You would have known that it would be limited by considerations of strict honour, and that he would have carried, as he did, into the Council Chamber, and into the President's House, the same high spirit of integrity which distinguished him in the field. But the same rule applies in the other direction, and if political objects have been systematically pursued by exciting all the worst passions of a population, if intimidation has been sedulously encouraged by those who know it will lead to murder, you will know that the spirit which has done these things exist in the minds of the men, and of the class of men, from whom the future governors of Ireland will be drawn, and you know the fate to which you are handing over those you are bound to honour and preserve. The melancholy fact which this Report brings out is that there is between classes in Ireland a traditional antipathy due to historical causes, which we may lament but which we cannot in a moment efface. A historical antipathy of that kind has arisen from many incidents in the checkered career of England and Ireland. It may be due to the fault of one or the fault of the other. These things matter very little now, but we know that this historical antipathy exists; we know that it will colour, and tincture, and bias the action of the Party to whom the future government of Ireland is to be handed over; and we are bound—bound more than ever by the revelations which this Commission has made—to spare no

effort, no exertion that we can command, in order that such a delivery over of one section of a community to another shall not take place until a sufficient interval has passed of wholesome government, in the course of which these causes of antipathy may gradually decline. They are not to be worked out in a day; they are not to be worked out in a Ministry; they have arisen in centuries; they can only be effaced in generations. But this Commission, the Report of which I now ask you to adopt and to record upon the Journals of the House, will infinitely increase your responsibility, if, in spite of the lessons which it teaches you and the revelations it has made to you, you hand over to this bitter criminal conspiracy the lives of those who, in good report and in evil report, for many centuries have stood by England. I beg to move the Resolution.

Moved—

"That the Report of the Commissioners appointed under the Act 51st and 52nd Victoria, chap. 35, having been presented to Parliament, this House adopts the Report, and thanks the Commissioners for their just and impartial conduct in the matter referred to them, and orders that the Report be entered upon the Journals of this House."—(*The Marquess of Salisbury.*)

LORD HERSCHELL: My Lords, the Resolution which the noble Marquess opposite has proposed invites the assent of this House not to one but to three propositions. The noble Marquess anticipated that to one of these at least he would gain the ready assent of your Lordships. But, my Lords, strange to say, the proposal which the noble Marquess thought we should all assent to is not one of those which he has made in the Resolution.

*THE MARQUESS OF SALISBURY: May I ask, which is that?

LORD HERSCHELL: To thank the Commissioners for their just and impartial conduct. The noble Marquess said we should all agree in thanking the Judges for the exertions they have bestowed and the industry they have displayed, but there is no proposal to ask your Lordships to thank them for anything of the kind. They are to be thanked, not for those qualities, but for the display of just and impartial conduct in the inquiry, as to which I shall have something to say by-and-by. My Lords, there appear to me to be grave objections to all these proposals. The Report which your Lordships are asked to adopt is the Report of a Commission unprecedented in its character and in the circumstances which immediately led to its appointment. And I am unwilling that, by adopting this Report, your Lordships should give any further or additional sanction to proceedings of this nature. I must recall to your Lordships' recollection, for I think they must have escaped the recollection of the noble Marquess opposite, judging from the matters to which he has alluded in his speech, the grounds upon which this House was asked to sanction the appointment of this Commission. Three years ago there appeared in a newspaper charges imputing conduct of the most disgraceful kind to Irish Members of Parliament, and especially to Mr. Parnell. My Lords, the noble Marquess has made no allusion to those charges. He has recited all the charges in respect of which, as he says, guilt has been found; he has not recited the charges of which they have been acquitted. Now, it may be a question, and I will say something about that in a moment, whether there is any obligation to congratulate them on that acquittal, but, at least, it seems to me there is an obligation, if you make allusion to their condemnation, to make allusion equally to the matters upon which they have been found not guilty. What were these charges? They were that the Land Leaguers deliberately based their movement on a scheme of assassination and outrage; that the leaders directly incited the people to outrages; that when they condemned outrages their language was hypocritical; that the funds of the League were used to pay for outrage; that the Invincibles were a branch of the Land League; that Mr. Parnell was intimate with the leading Invincibles; that he probably learned that they were about during the time that he was released on parole, and knowing the murders to be their work, greatly qualified the condemnation which he thought it politic to pronounce, and remitted funds to Byrne to enable him to escape from justice. These were the charges amongst others made, and they were the main charges. They were supported by no proof; no evidence was offered of their truth,

unless that term can be applied to a letter which was alleged to be in the handwriting of Mr. Parnell. As soon as that letter appeared in the newspapers it was declared to be a forgery; and how was that declaration received? With jeers, ridicule, incredulity. Mr. Parnell was met on all hands by his political opponents with a taunt that unless he was prepared to proceed to a Court of Justice and prove his innocence, and that he did not write the letter, he must be considered guilty of the matters laid to his charge. Those charges turned out to be calumnies. I must for a moment invite your Lordships' attention to this suggestion that he was bound to vindicate himself in a Court of Justice. I have always entertained the view that, assuming Mr. Parnell to be innocent and never to have penned that letter, it would have been madness in him to appeal to a Court of Justice. What would have been the result had he done so? He would, no doubt, have denied that he wrote it—he had done that already, and his denial had been treated as mere empty words. There would have been the evidence submitted to the jury by experts in handwriting, that they had not the slightest doubt the letter was written by Mr. Parnell, and the matter would have been left, perhaps in the same kind of doubt, to the determination of the jury. It would have been impossible to force a disclosure of the source from which that letter had been derived. It would have been impossible to discover who had handed it or sold it to the *Times* newspaper. They avowed their determination that nothing would induce them to make that revelation. They held out the idea to the public that there was a vast amount of knowledge in their possession which they were determined not to make public, because it would expose persons to the risk of their lives, and they were prepared to go to prison—to suffer anything—rather than let it be known from whom that letter had been obtained. That course would have been taken at the trial, and what would have been the result? The utmost Mr. Parnell could have hoped for would have been that the jury would not agree on their verdict. I suppose there is no doubt that on such a jury you would have found many Conservatives, and why am I to suppose that we should have found those Conservative jurymen superior to many of the noble Lords whom I see around me, who expressed their conviction and said they had no more doubt of Mr. Parnell's guilt than if they had actually seen Mr. Parnell write the letter with their own eyes? I heard noble Lords, after Mr. Parnell's denial, say they had no more doubt about the matter than if they had seen him with their own eyes pen it, and you are to suppose that Conservatives serving upon a jury would have thought otherwise. And to a certain extent I should not blame them for thinking that when the *Times* asserted that it had a vast amount of knowledge and proof in its possession that that was something more than empty words having no foundation in point of fact. My Lords, these charges have been found to be calumnies and to be untrue. They were weapons used to further a political course. I protested, when the Bill for the appointment of the Commission was before your Lordships' House, against the doctrine that charges in a newspaper imputing misconduct to a public man were to be regarded as any proof of guilt, or as it has even been put as conclusive proof of guilt unless he would appeal to a Court of Justice to vindicate him and establish his innocence. My words were very little heeded then; but I have the satisfaction of thinking that the results of employing these weapons have not proved to be so very advantageous as to commend them to future use. Our political conflicts are heated and bitter enough, but there are limits to the weapons which it is justifiable to use. I would venture to adopt in relation to politicians the words of a distinguished Judge when, speaking of the obligation of an advocate, he said—

> "The weapon which he wields he should wield as a warrior, not as an assassin; he should seek to prevail *per fas* but not *per nefas*."

[*Ministerial cheers.*] Yes, my Lords, I understand those cheers. They mean that as against a political Party who, you think, used unfair weapons, any weapons on your part are respectable and fair. My Lords, if weapons are used by others which should not have been used, does that make their use right and justifiable? That seems to me a doctrine to which I should hardly imagine your Lordships would give

assent. But how was my argument met in this House by the noble and learned Lord the Lord Chancellor? He said it is not every newspaper that is to be dealt with in such a fashion as this. There are newspapers so scandalous and disgraceful that you may well pass their accusations by. But, he said, here is the case of a newspaper of high authority and great respectability. Now, I would ask my noble and learned Friend how he intends to deal with that proposition to-night? Will he abandon the doctrine that assertions made by a newspaper of high authority and great respectability are to be treated as evidence of guilt or proof of it, or will he withdraw the *Times* newspaper from the category of newspapers of high authority and great respectability? He has no choice but one of those alternatives, and I imagine he will choose the first of them, for I will not do my noble Friend the injustice to suppose that, after what we have witnessed and what has been proved, he will hereafter deem any man guilty on the mere assertion of a writer in the *Times*. My Lords, the noble Marquess rested the appointment of this Commission upon another ground. He said that these charges had not only appeared in a newspaper, but had been repeated in Court by a counsel of responsibility, who alleged that he was able to prove them in evidence. I protested at the time against that assumption being a sufficient ground for dealing with the charges as having some foundation in fact. What do your Lordships think of it in the light we possess now? Those charges were repeated by a learned counsel in a Court of Justice; and though he did say he could prove them, proof of them there was none. I pointed out at the time that a counsel only purports to speak from the instructions he receives. The *Times* had told the Attorney General they could be proved. They had not told him whence they got them. He knew none of the facts, as far as I am aware, which were necessary in order to test the truth or falsehood of the charges. With regard to these documents he was told they could be proved, that experts in handwriting would swear to their genuineness, and upon that foundation he made the assertion upon which the noble Marquess relied. I maintain that no statement in a newspaper, or assertion by counsel, is sufficient ground for crediting charges made against a public man, and by him denied, and that public life would become intolerable if such a doctrine were to be enforced or acted upon. I object, therefore, to the basis upon which this un-Constitutional tribunal was founded. It was founded on a doctrine which I think should have received no countenance. If, owing to the fact that Members of Parliament were charged, some inquiry was necessary, there was a Constitutional tribunal to which an appeal could have been made. Those who urged a reference to a Select Committee of the other House took a perfectly Constitutional course, and I believe that is the course that would have been adopted without hesitation in the case of any but the Irish Members. I entertain from what I have seen of the House of Commons not the slightest doubt of the fact, but, of course, my impression may be a mistaken one. That Committee was refused because it was said to be an unsuitable tribunal; that political prejudice or prepossessions would render it unfitted to try such charges. As regards all the charges then prominently put forward, which it was said to be necessary to investigate, the charges of complicity with murder and outrage, of planning and paying for outrage, and the authenticity of those letters, such a Committee would have been a perfectly suitable tribunal. We know now that it needed no judicial skill, or industry, or learning to deal with those charges. As soon as they came to attempted proof the exposure was immediate. The whole fabric crumbled to pieces, and I cannot doubt that any Select Committee of the House of Commons, however constituted, even if every Member of it had belonged to the political Party opposite, could not have done otherwise than acquit the Irish Members of the charges which were then put forward as the matters on which investigation was desirable and necessary. And, further, the work of the Committee would not have ended there. The work of the Committee would have proceeded further than that. They would have inquired how it came about that charges such as that were got up and launched against public men; who were the actors; who were the con-

tributors of the funds; how those forged letters were procured which the noble Marquess says were not of the slightest importance, but which the *Times* newspaper, with Mr. Houston, or those behind him, thought it worth while to give some thousands of pounds for; how the money came to be provided for their purchase. The Government of the day rejected this course, and determined to create this special tribunal. I will not repeat my objections to this tribunal, but I must just allude to them again. The Government of the day, and the Party behind them, created, to try their political opponents, a tribunal of which they selected the members, determined the scope of the reference, and defined the powers. Against whom were those charges made? Made against Members of the other House, representatives, at all events, of a large proportion of the Irish people; and what were the charges? Charges made for a Party purpose by a Party newspaper; and the terms of the reference were made wide enough to cover matters closely connected with the controversial politics of the day. The noble Marquess has spoken to-night of this as a criminal court, and he has asked whether it is usual in a criminal court to congratulate a prisoner on being acquitted on some counts of the indictment. He has called them counts of the indictment, as though these men had been tried in a criminal Court on a criminal charge. There are, my Lords, Criminal Courts constituted by the Constitution of this country, and in those Courts there are safeguards and limitations to which every man charged with crime is entitled to the benefit. But for the Government of the day to create what is even now called a Criminal Court, trying counts of an indictment, finding men guilty of crime, is something new to the Constitution of the country, and that such a Court should be created by political men to try political opponents, and that they should name the members of the tribunal, determine its powers, limit its functions, seems to me to be one of the most dangerous proceedings that has ever proceeded from the Constitutional Party in this country. It was not at the time represented in this light. If any one will compare the speech of the noble Marquess when he moved the Second Reading of the Bill with his speech to-night he will observe a great difference of tone. It was then to be a boon to the Irish Members, to afford them an opportunity of vindicating their character; it was to be a substitute for an action of libel in which, on the showing of the noble Marquess, they have been largely successful.

THE MARQUESS OF SALISBURY: Not at all.

LORD HERSCHELL: The noble Marquess differs; it is a matter of opinion. It seems to me that the noble Marquess is making light of serious crime if he thinks that there is no distinction between a man who in a political agitation makes use of language, or incites to acts not illegal, but acts the result of which leads to crime, and the man who deliberately plans murder and assassination. I cannot say that the former may not be blameworthy, but I cannot appreciate the suggestion that there is no distinction between them. No attempt was made so to select the members of the tribunal that any political prejudices or prepossessions might be balanced or kept in check. I pointed out this at the time, and my noble and learned Friend said that I was suggesting a partisan tribunal because I suggested that it would be fair that at least one out of the three should have sympathy rather than antipathy with the political objects of those whose conduct was to be inquired into. It is said that the tribunal was a non-political one, and the noble Marquess has spoken of the Judges as men who were entirely detached from Party politics. I said two years ago, and I repeat it now, that those who know the facts know that it is idle thus to talk. Non-political Judges—men who have never mixed in politics! Those men are just as political as other men. They have as strong views on the current politics of the day as other men.

LORD ESHER: They never act on them.

LORD HERSCHELL: I am not saying they act on them. My noble and learned Friend will hear what I have to say about that in a moment; but I should doubt that he would consider it a matter totally immaterial, when questions closely connected with politics and political life came into controversy, whether those questions were to be

determined by those whose political prepossessions were one way or the other.

LORD ESHER: I certainly should.

LORD HERSCHELL: All I can say is that I differ totally from my noble Friend. I am second to none in my admiration of the Judges. I believe in their absolute integrity and intention to be fair, but I say that, when my noble Friend suggests that the political views or prepossessions which men have never bias their judgments, it is contradicted by matters so completely within my own experience that I am unable to agree with him. I will ask noble Lords opposite this—I do not deal with my noble and learned Friend; he may take a judicial view of it—but I would ask—Would they think it a fair tribunal to try a matter in which they were interested aad in which they were charged with conduct in respect of affairs closely relating to politics, if three ardent Radicals formed the tribunal which was to determine what the character of their conduct had been? It seems to me that it would be hypocrisy to pretend that Judges or any one else are capable of rising absolutely and positively above all political influences and prepossessions. I do not for a moment doubt the absolute honesty and the absolute integrity, the absolute determination to be fair and to hold the scales even, on the part of the three Judges. No one can fail to feel that, and no one can state it more strongly than I do. No one has a greater personal regard for them than I have, and of the President; I have reason to speak in special terms of respect and regard. But I am speaking on general principles, and I maintain that it is in the highest degree dangerous that a Party should select or create a tribunal and should nominate the members of that tribunal, and that there should be no care taken to see that, as far as possible, the tribunal should be impartial in this sense—that should it be biased in one way it should be counterbalanced by bias in another way. It was suggested that a Committee of the House of Commons was unfitted to deal with this matter, because it touched closely on the current politics of the day, and that they could not be trusted to be unbiased by them. Are Members of the House of Commons the only people biased by the current politics of the day? Is it to be said that there are people of whom it is impossible to say that they can rise above Party bias in trying their fellow men, however much it may be striven against, but that Party bias is altogether unknown in other men? I stated my objections to the constitution of this tribunal, if such a tribunal were to be constituted at all, on the occasion when the Bill was read a second time. They were stated then without effect. I am not surprised it was so. They were attributed (I of course make no complaint of it) to the imaginings of a political opponent, who naturally would see everything wrong in what was done by the Government. But I find now that many of them were pressed on the Government in a Memorandum which was written by a noble Lord who not long before had been one of their Colleagues. He certainly had no Party motives in making that suggestion. The suggestion was one privately made in order to influence the action of the Government, and it seems to me that that noble Lord exhibited greater regard for the Constitutional safeguards to which we should all give heed, and which we all cherish, than Her Majesty's Government showed in proposing this tribunal. My first objection, then, to the adoption of this Report is that by adopting it we give additional sanction to the tribunal which has been so created, and that, of itself, in my opinion, would suffice to show that this is a course which should not have been proposed to your Lordships. But, in my opinion, this Report as a document dealing with the transactions which it records, is inadequate, incomplete, and wholly fails to meet the exigencies of the case. In saying this I am not blaming the Judges. They acted within such limits as they considered were imposed upon them. But no such limits are imposed upon us. That part of the Report which relates to the charges of crime, and to the letters which have been proved forgeries, occupies fewer lines than there are pages in the rest of the Report, although those charges, and those alone, led to the appointment of the Commission. The noble Marquess says that this suggestion of the importance of these letters is an afterthought, and that it now comes, for the first time, from us.

THE MARQUESS OF SALISBURY: No; that on the other side it was ingeniously devised from the first, and steadily pushed forward subsequently.

LORD HERSCHELL: I think the ingenuity of device was on the part of the friends of the noble Marquess in the other House. Until they began to think that it would be desirable to prepare for retreat in case the letters could not be proved to be genuine, the friends of the noble Marquess in another place dwelt upon the importance of these letters. In the debates in the other House before the ultimate proposal of this tribunal, and even on the Second Reading of the Bill, Conservative and Liberal Unionist Members declared that these letters were the most important part of the inquiry, and that if they were proved not to be genuine the public would care little for the other part of the inquiry. Those were not statements made by men with whom I am in political alliance, but, as I have said, by Conservatives and Liberal Unionists in the other House of Parliament. These grave and terrible charges have been proved to be calumnious, and these letters have been proved to be forgeries, and I ask your Lordships, is it fitting there should be no condemnation recorded of those forgeries and of that calumny? Is it such a very light thing that men should be charged without foundation with planning murder, with being parties to particular murders, and to finding money for murder? It seems to me that these are charges of the gravest description, and as they turned out to be untrue, I cannot think that a record of the proceedings is adequate which contains no condemnation of them, and treats them as if they were light things, and matters of indifference. Who would imagine from merely reading this Report that the Irish Members had cleared themselves—I would say had substanially cleared themselves—in all those matters which the noble Marquess suggested had to be inquired into by this Commission? The noble Marquess says that almost all that is in the Report of the Commission is new. On the contrary, I would venture to say that everything in the Report upon which the finding is hostile to the Irish Members is absolutely and entirely old. I challenge any noble Lord who may speak after me to say what evidence there is which was not known to Parliament and discussed in Parliament years and years ago. In moving the Second Reading of the Bill the noble Marquess pointed out, as he has to-night, that there were two parties in Ireland—the Constitutional Party, acting by Constitutional means, and another party acting un-Constitutionally by the direct commission of crime and outrage; and he said that what they wanted to know was what complicity or connection there was between them. On that occasion the noble Marquess said that he knew the Irish Party had confessedly used some methods which were not Constitutional; that he knew all about the boycotting and inciting to boycotting. He said he knew there had been crime in Ireland, and he knew that some of the crime was connected with boycotting. All that was as well-known six or seven years ago as it is to-day; but it is on that, and on that alone, that the findings on which the noble Marquess dwells most are founded. I say that these findings are not founded upon any single fact—and if I am wrong I shall be glad to have it definitely corrected—which was not as well-known six or seven years ago as it is now. The noble Marquess now says that there was no accusation of complicity with murder; but that was not his language before, when the Bill was under discussion. He charged them with being practically in harmony

> "In conspiracy and complicity with the other and more violent organisation to which the name of Fenians or Invincibles has been given."

Of course, the Invincibles were a body perfectly well-known, and the charge made at the time was of connection between the Land League and the Invincibles, who were an organised band of murderers.

THE MARQUESS OF SALISBURY: I think I used the words "in practical harmony."

LORD HERSCHELL: No; the language of the noble Marquess was—

> "In practical complicity and conspiracy with the other and more violent organisation;"

and then further on the noble Marquess says it was felt that the scandal was so great that some means of dealing

with it were necessary to be adopted. He then said that it was thought there had been a connection between the Land League and the Invincibles, and for anything so terrible as complicity with murder there was no justification. That was the inquiry which, he said, was needed, and that that was the inquiry which he desired is obvious from the fact that he avowed his knowledge that there had been means employed which were un-Constitutional and illegal, meaning boycotting and inciting to boycotting, the results of which were at the time perfectly well-known. I ask, ought you to treat calumnies of your political opponents as deserving of no condemnation? Supposing they had been guilty of certain acts, unjustifiable or blameworthy, is the doctrine to be laid down that, in that case, any weapon is lawful against them? In the future, is it to be a recognised maxim of the Conservative Party that if you prove some disgraceful thing of a man you are at liberty to charge him with something much worse, and, if that charge is proved after investigation to be without foundation, that he is to be unable to get a word either of acknowledgment or reparation? I cannot believe that will be generally accepted by this House; but this I am certain of—that if it is accepted by your Lordships in this House it will not be accepted as fair and just treatment by the great body of the people in this country. What has been done in this matter? These weapons have been used freely, and money has been subscribed to scatter broadcast over the land allegations which are now found to be calumnious and utterly without foundation. Is there to be no acknowledgment of all this—no reparation? My Lords, would there have been such treatment awarded to the noble Marquess if he had been unjustly made the subject of scandalous accusations, even if he might have been proved to have done acts which could not altogether have been justified? I am satisfied it would not, and I hope that we may, even yet, hear from some of those who follow the noble Marquess some expression of regret, or, at least, of condemnation, of these calumnies and forgeries, which we have not heard, as I expected we should have heard, from his lips. Not a single frigid sentence of condemnation fell from the noble Marquess at the attempt to use such unholy weapons as this to destroy the character, not merely of a fellow-man, but of a fellow Member of the Legislature. I think your Lordships will watch with some interest to-night to see what share of the observations addressed to you is given to those charges, and to the condemnation of the charges, which have been proved to be without foundation, and what share is to be given to the attempt to excite, which it is easy enough to do, the indignation of those who sit behind the noble Marquess at the Irish Members, in respect of matters in which they have been found not free from fault. Now, my Lords, so far for my observations with regard to the tribunal itself, so specially appointed. To its un-Constitutional character I have already alluded. It is proposed to adopt this Report. What is meant by the expression "adopt the Report"? So far as I know, the word "adopt" is new in our Parliamentary language.

THE MARQUESS OF SALISBURY: Surely not.

LORD HERSCHELL: I repeat that the word is new, as far as I know, to our Parliamentary vocabulary, and I have made such inquiry in the matter as I could. We have been in the habit, at times, of agreeing with the Reports of Committees; but, so far as I know, no Report of a Committee has ever been "adopted" by the House. But while unable to appeal to Parliamentary precedent for an explanation of the phrase, the expression is familiar to us in connection with Joint-Stock Companies. A Joint-Stock Company adopts the Report of a Committee or of a Board, and what does it involve? It involves, at least, that it assents to its conclusions and approves the decisions and recommendations at which it has arrived. That, my Lords, is what you are asked to do to-night, and to doing that it seems to me there are two grave objections. One is, that those affected by this Report are Members of the other House of the Legislature; but the other and wider objection is that the findings upon which the noble Marquess has so much dwelt, and which are hostile to the Irish Members, have reference to an agrarian agitation by the tenantry of Ireland against the landlords. When I remember what interests are involved in

this agitation and controversy, I ask, What weight or sanction can the adoption of the Report by a House constituted like your Lordships' give to it in the eyes of the country? In saying this, I do not wish to cast any reflection upon the Irish landlords. I shall say no bitter words against them; but it would be absurd to suggest that your Lordships would constitute the impartial tribunal to which the noble Marquess appeals to give assent, and so additional weight, to the findings of the Special Commission. As far as I am concerned, I cannot but regret that the agitation, and the legislation which followed upon the agitation—although I believe that that legislation was inevitable, and that it has not produced greater loss to the landlords of Ireland than similar economic causes have inflicted upon the landlords of England—have, undoubtedly, been productive of suffering. However inevitable one may consider it, one must regret, as I do most heartily, that suffering should fall on any man from events for which he is not personally to blame. Therefore, I trust that your Lordships will not think that in the language which I have used about the constitution of this House I have intended to say anything hard or unkind; but I cannot help thinking that it would be better and more dignified that we should leave this Report to speak for itself, and to carry with it such weight as it carries of itself, and that we should not seek to give it, for we cannot give it, further sanction and additional weight by asking your Lordships' House to adopt it. Some of the Members of your Lordships' House who are asked to adopt it are placed it the further difficulty when asked to adopt this Report of being charged with the duty of declaring the law. It is the duty of some of your Lordships, and I am one of their number, to sit in this House as Judges, and to revise the decisions of the tribunals, and to the best of our ability to declare the law. If I believe that this Report which I am asked to adopt contains disputable propositions of law and erroneous conclusions of fact, what course am I to take? If I keep silence I know what would be said, that I can find no fault with it, that I have no criticisms to make, and that I give no countenance to the criticisms made elsewhere, and I should be held to have given my assent to all the doctrines of law involved in it. If I merely express my assent without giving my reasons it would be said I had no reasons to give. Therefore, great as I feel the inconvenience to be, reluctant as I am to enter upon such an inquiry, I feel bound to draw your Lordships' attention to some parts of the Report, and to state my opinions with regard to it. The difficulty is enhanced by the fact that I have only the Report before me, and that I have not been able to examine the evidence upon which it is founded. The noble Marquess has the advantage of me. He is in possession of the evidence upon which the Report is founded, he has produced it to-night, and has read quotations from it, but it is not to be obtained in the Minute Office, and there is only one copy of it in the Library of this House, which, of course, can only be seen at such times as we are here. It seems to me that the Report ought not to be adopted without taking into consideration the evidence upon which the Report is founded; nor do I think it can be seriously contended that the Report of these three Judges, eminent as they are, is to be adopted blindfold, and treated as conclusive. Why, if it concerned a mere dispute about the payment of £20, their decision would not be conclusive; but the party who was held liable to make the payment would have a right to appeal to two higher Courts, and perhaps get the decision against him reversed. Can it, therefore, be said that the decision of a tribunal of this description, created as it has been, which has published findings deeply affecting the characters and reputations of men, is to be regarded as conclusive, and treated as without appeal? No, my Lords, you have chosen to constitute this Tribunal, but an appeal must lie, and it can only lie to the people of this country. The first point in the Report to which I will call attention is one to which the noble Marquess has alluded. I agree with him that it is important, though it is for a different reason that I attach importance to it—it is the finding that the respondents made payments to compensate persons who had been injured in the commission of crime. The noble Marquess drew from this finding or rather from the evidence in support of it, a most tremendous inference. He

said that as from a single bone an able naturalist would be able to construct the entire anatomy of an extinct animal, the noble Marquess asked your Lordships to construct, upon the foundation of this finding, from your imagination and invention, which is to be regarded as proof against your fellow-man, a perfect edifice of criminality. My Lords, I do not so understand the doctrine of proof. All I can say is that evidence is not so regarded in Courts of Justice, and least of all in Courts of criminal justice. The Report says it is proved that the respondents made certain payments. There are 64 respondents who are named in the earlier part of the Report—64 Members of Parliament. It is found that those 64 Members of Parliament made those payments. And what is the proof in support of it? All that is proved is that one single payment was ma e by an officer of the Land League, and the suggestion is made that if the books of the Land League had been forthcoming many such cases might have been proved. I do not call suspicion or insinuation of that kind proof. But even admitting for the moment that there were other such instances, my objection is that those payments were made by certain Land League officials; there is no evidence here that any of the payments were either sanctioned or approved of by any of the 64 respondents except one. With what justice, or for what reason, are they found to have made those payments? I am responsible for any payment by an agent of mine authorised by me; I am responsible for any payment made by my agent coming to my knowledge and sanctioned by me; and I am responsible if I give him general authority under which he makes the payments. But there is not the slightest proof that any one of these respondents ever knew that such payments were made from the beginning to the end of the existence of the Land League. Some even were in prison when the payments are alleged to have been made by them. Of course, they could only have been so found guilty if they were responsible for the people who made the payments. Assuming that they were parties to a conspiracy, as found in the earlier part of the Report, then that gives no justification for the finding that they were responsible for the payments, as it would not be within the scheme, and is not found to be within the scheme, of such conspiracy that any such payments as these should be made. There is a distinct finding that they did not desire outrage and did not approve outrage, that although the language they used led to outrage they did not incite to it, and yet it is held that they are responsible for making these payments. That carries the doctrine of constructive responsibility far beyond any point which it has hitherto reached. I am utterly unable to agree in a doctrine so entire dangerous and so subversive of all safeguards that we have hitherto maintained. Then there is this important point. It is of great importance where in other portions of the Report these men are found guilty of criminal conspiracy, to see how far this doctrine of constructive responsibility has been carried. I shall have something to say upon that by and bye; but for the moment I desire to dwell upon this part of the Report, which seems to me of very great importance. Now, my Lords, I turn to the finding that the respondents, the leaders of the Land League, were guilty of criminal conspiracy with the object stated by the noble Marquess. I think exaggerated importance has been attached to the expression "criminal conspiracy." Many most excellent people have been guilty of criminal conspiracy without deserving censure, as on the other hand there are many people who have not brought themselves within the reach of the criminal law at all, but who, nevertheless, are deserving of the severest censure. But the truth is that the law of criminal conspiracy is a net so widely spread by the law of our country that it is difficult to say what may not be brought within it. An agreement between two people to commit a trespass is a criminal conspiracy, for it is to do an unlawful act. An agreement also between two people to avoid the operation of a statute, or between a husband and wife to smuggle goods into this country, even, for instance, copyright books of the Tauchnitz edition, I imagine would make them guilty of criminal conspiracy, for it would be an agreement to do an illegal act, because that would be combining to evade the Customs Laws. When I come to this subject I get a little uncomfort-

able, for I am not sure that when I visited the United States I was not guilty of criminal conspiracy myself. It has been held in the United States that any combination to avoid the Maine Prohibitory Liquor Law is criminal conspiracy. I have a recollection of going to a watering place where the prohibitory law was enforced. The landlord of the hotel was not allowed to supply spirits for payment, but he promised to obtain and present them to his customers. I am afraid I learned while I was there how to evade that law, for when I took spirits there appeared an item in my bill under the head of "sundries," which amply covered the cost of the liquors supplied; and I am afraid the innkeeper and I were guilty of criminal conspiracy.

*THE EARL OF SELBORNE: Does the noble and learned Lord put that as being the law?

LORD HERSCHELL: My noble Friend asks me whether I put that as the law; I certainly do. I do not wonder that the noble and learned Lord expresses surprise, because he has not had so much experience of the Criminal Courts as I have had, and of the lengths to which this law of criminal conspiracy has been carried. I can only say that question has been the subject of decision by the American Courts. Any noble Lord who has had experience of the Criminal Courts will know the length to which the law of criminal conspiracy has been carried. I am not prepared to say that any agreement to do an illegal act, or to do a legal act by illegal means, is not within the law of criminal conspiracy—that any act so done does not come within the definition of it. This law is, indeed, more wide-spread in its operation than most people imagine. I have present in my mind a case which is an apt illustration of my contention, that there may be criminal conspiracy even to boycott without much moral blame. There is a case now pending before your Lordships' House, and upon the law of which I will therefore express no opinion, in which the noble and learned Lord opposite held that an agreement to boycott was an illegal conspiracy; and I apprehend that every illegal conspiracy is a criminal conspiracy, because it comes clearly within the definition. That is the case of a conspiracy by highly respectable Steamship Companies to treat people in a certain manner, and so affect their trade. Although these companies may be guilty of criminal conspiracy, I am sure they will not themselves feel that any great moral blame attaches to them. This shows that people may be considered deserving of but little blame, even although guilty of criminal conspiracy, while they may deserve very great blame, although they are not guilty of criminal conspiracy. We must look to see what are the acts done, because they may deserve great blame or little blame. I therefore invite attention here to the acts which have been done. The noble Marquess said that these men, whom he described as treasonable, would probably obtain full absolution at my hands for the crimes they have committed. I can assure him he is much mistaken; but, in the first place, I do not quite know to whom he applies the epithet "treasonable." He applied it to "these men," by which I understand him to include Mr. Parnell and those associated with him in the findings upon this Report.

THE MARQUESS OF SALISBURY: I never said that.

LORD HERSCHELL: I imagined the noble Marquess referred to them all, but I should be glad to hear that the vehement language he used did not apply to Mr. Parnell and to many of his associates. But I can assure the noble Marquess that he will hear from me no suggestion that crime is a light thing, nor any justification for the view that the guilt of crime is removed because a laudable object lies behind it. Any one reviewing the events of the last few years in Ireland, whatever his political view, must see much indeed to lament and not a little to condemn; but I am led to inquire what was the land League and what were its objects and methods—because, as far as I can see, the only ground for charging this criminal conspiracy is that the persons named were members of the Land League. I have read and re-read the evidence which leads to that conclusion, which consists of speeches, resolutions, and so on, and I can see no evidence of a combination amongst the persons named unless it be that they were members of the Land League. If that be the finding it reaches far beyond the individuals named, for prelates of the Catholic Church and multitudes of other

men have belonged to this criminal conspiracy, the Land League. There is no fact leading up to that finding which was not known seven or eight years ago; and it was impossible for any one, as those in office did some years ago, to have watched daily passing events in Ireland without forming some conclusion as to the objects and aims of the Land League. I am unable to come to the conclusion that the mere fact of joining the Land League involved participation in such a conspiracy as is found by the learned Judges. The objects of the Land League I believe to have been these: To endeavour by agitation to obtain a reduction of excessive agrarian rents—I am not now dealing with the question whether the view that they were excessive or not is correct, but I think the term is justified by subsequent events—and to endeavour to secure the adoption of a scheme by which lands might be purchased by the tenants from the landowners, and so put an end to the difficulties which have arisen under the system of dual ownership or divided interest. I believe that the Land League was founded with the view, by these means, of checking evictions and preventing many tenants being deprived of their holdings. Those, as far as I can see, were the only objects to which anyone was committed by becoming a member of the Land League. Some may have joined it with ulterior objects; but you cannot make those who joined the combination parties to those objects—it seems to me in the highest degree unjust to do so; still less can you make them responsible for all that has been done by every branch and by every member of the Land League, because the doctrine of conspiracy does not go to such lengths as those. There is no doubt that many of those who joined the Land League also had this in view—that the agitation which existed, and which would no doubt be augmented and not diminished by its action, would have some effect in furthering the cause of self-government for Ireland which many of them had at heart. Those, I believe, were the aims and objects of the Land League, and the only aims or purposes which have been proved against them. To award justly such blame as is due to those proceedings, it is essential to consider the condition of Ireland at the time this combination arose. The Commissioners themselves report thus—

> "We have no commission to consider whether the conduct which they are accused of can be palliated by the circumstances of the time."

But your Lordships have such a commission, and you are bound to exercise it. You are justified in looking fairly at the acts done, and your condemnation is not to be measured even by the immediate circumstances under which the act is committed. Men's conduct is so measured in Courts of Justice, and still more ought it to be so measured when acts are done under such circumstances as these. What was the condition of the tenantry of Ireland at this time? I am not going into details; but there had been a series of bad seasons in which the produce of the land had been many millions of pounds less than in previous years; there were in many parts of Ireland excessive and impossible rents, which had been raised upon the improvements of the tenants themselves, and evictions were proceeding. They had had years of sad experience of what that means, and one item I should add upon that: it comes from the Report too. One land-agent described many of the people in one county of Ireland as "blue with hunger." What effect was it likely to have on men in sympathy with the tenant class, some of whom had themselves sprung from the same class, to see and ponder over these things? Was it wonderful if they should seek to create a League which might stay evictions and diminish these rents and give security to the tenant for his holding? It would be to shut our eyes to the first impulses of human nature to suppose that men would not be moved by such feelings and sentiments as these. No doubt they incited to boycotting, and it appears to be assumed that so to incite is illegal. I am no advocate of boycotting; far from it. There is no one in this House who is less disposed to sanction it than I am. I confess I have the greatest aversion to it wherever it is found, whether in England or in Ireland. I do not like the spirit which gives it birth. But it is not confined to Ireland. It may take a different form there, and may not result here in the same gross acts of violence as attend it in the Sister Island; but the spirit of it is none the less to be condemned. It is impossible, however, to contend that all boycotting is illegal;

it is equally impossible to contend that all inciting to boycotting is illegal. I guard myself only by these observations against being assumed to assent to any such proposition. I will not attempt to draw the line between what is lawful and what is unlawful on this head except where it is absolutely necessary for me to do so, because I would not willingly by any single word of mine give encouragement to a practice which no one likes less than I do. But I must ask your Lordships to remember that the sentiment which found expression in warning men not to take farms from which other tenants had been evicted was no new sentiment. It was urged that that might be prevented by boycotting the men who took such farms. But long before that, a man who took an evicted farm had been ill-looked upon by his neighbours—long before the Land League was established, and long before boycotting was established. The epithet of "landgrabber" and the term "landgrabbing" are no new titles in Ireland.

THE MARQUESS OF SALISBURY: Yes.

LORD HERSCHELL: I care not whether they are new or old; at any rate, the opposition and the hostility to the thing itself, the taking of evicted farms, are not new. It has been contended by some that the fact that men gave expression to their indignation against those whom they regarded as traitors to their cause, men who took evicted farms, in many instances prevented outrages, because it was a course which enabled them to achieve the end they desired without committing violence. I am not going to enter into such a question now, though it seems to me not improbable that in some cases that might have been the case. That it did in not a few instances lead to crime is beyond all possible doubt; but I think it is the greatest mistake to suppose that this boycotting, or inciting to boycotting, explains anything like the crime which took place in Ireland during those years. It is impossible to read the Report of the Commission without seeing that many of the crimes dealt with had no sort of connection with boycotting; and also that, as a fact, there were multitudes of cases of boycotting which in no case led to crime. That crime resulted in some cases I frankly admit. It is suggested that the agitation which existed in Ireland was one simply worked up by the Land League, and had no origin in the real wants and necessities of the people. I might quote the statement of the noble Earl near me when the Land Bill of 1881 was before your Lordships' House. He said—

> "It is the greatest error in the world to say that the state of things which we have now to deal with—"

that is, the disturbed state of Ireland—

> "is due to the Land League. This Land League is its effect, not its cause; the Land League would never have had the power it has acquired if it had not had to work upon the previous state of public opinion and the previous state of public feeling which existed before the formation of the Land League."

It has been suggested by the Commissioners, and the noble Marquess dwelt upon it to-night, that it is not true to say that crime does follow evictions. They attribute all the crime to the agitation of the Land League. Now, I cannot but think that the reasoning of the learned Commissioners on this part of the case is extremely unsatisfactory. The noble Marquess alluded to the principal statistics upon which they dwell. They take the statistics of 1849 to 1852 and compare them with the years from 1879 to 1882. They point out how many thousands of evictions of families there were in the earlier years, and they state that the outrages were fewer in number. First of all, I invite the attention of your Lordships to this. The value of that comparison depends entirely upon whether your statistics of crime are compiled at the two periods in the same fashion and on the same bases. I can show your Lordships that these are not. The agrarian crimes in 1849 are stated at 957, but I am satisfied that in the earlier Returns no crime was classed as agrarian unless it could be traced to some distinct agrarian cause, and that many crimes which would now be classed as agrarian crimes were not then so classed. In 1849 there were only 15 homicides classed as agrarian, whereas in all Ireland there were 203 homicides. In the next year only 18 are given as agrarian, but there were 139 homicides in Ireland; and so it goes on in the other years. Then how many incendiary fires are so classified? In 1849 there were 238 incendiary fires classed as agrarian, but there were 1,066

incendiary fires in Ireland during that year. In the next year only 311 fires out of 938 were entered as agrarian, and so I might pursue the comparison. Can any one doubt that those homicides and those incendiary fires were the result of the evictions to which allusion was made by the noble Marquess in those years? To what else can he ascribe the abnormal number of fires in those years if not to the discontent of the people that resulted from the evictions? Really, my Lords, I do not think much importance is to be attached to these statistics at all. The crimes in the earlier years were infinitely more serious and numerous. The Commissioners do not appear to have noticed that in the four counties to which they make reference there is a reason why, apart from Land League speeches and meetings, there was an immense amount of crime there. They themselves describe the counties in question as being the poorest in Ireland; and when it is suggested that the crime which grew up in the latter months of the year 1880 is explained by the fact that the Land League was then started, and by that fact alone, I must ask your Lordships' attention to the other statistics with which I shall trouble you. The question is, "Did the evictions precede the crime, or did they only follow it." I cannot help expressing a little astonishment—it may be that they had not the evidence before them—that the Commissioners, who stated their opinion that evictions did not precede the crime, should not have inquired what had been the facts as regards evictions in the months preceding the crime. They say that the Land League was formed in Kerry in the month of August, 1880, and that in the latter months of the same year, October, November, and December, they find that there was then a great increase in the amount of crime. Let me call attention to these facts, and I am still taking the four counties which the learned Judges dealt with. In the County of Kerry in 1877 there were 14 families evicted; in 1878 10 families; in 1879, 55 families; and in the first nine months of 1880, that is, down to the end of September, 189 families—more than three times as many as there had been during the whole of the previous year. And these figures do not tell the whole truth, because notices are served and preliminary proceedings taken which often do not result in evictions, because they are not carried out to the end. In the County of Donegal 22 families were evicted in 1877, 29 in 1879, and 86 in the first nine months of 1880. In West Cork and in Clare the comparison is of the same description. Therefore it is impossible to question the fact that during the first nine months of 1880, in regard to each of those counties, there had been a very large and alarming increase of evictions. And, my Lords, it is not only the families evicted, but when you have a people so poor as they were after their disastrous seasons, all knowing that if they are similarly dealt with and similarly oppressed similar results will follow, your Lordships will be able to appreciate the state of alarm that followed. The Commissioners, it is true, have found that the Irish Members, or some of them, persisted in their advocacy of boycotting.

THE MARQUESS OF SALISBURY: May I ask the noble Lord to read that correctly? It is "intimidation," I think.

LORD HERSCHELL: No, it is quite true, and if the noble Marquess had waited he would have found that I was going to read it. They found that they persisted in their advocacy of boycotting, and I say that for this reason: that I cannot find any other form of intimidation of which there is the slightest evidence as against the incriminated persons or the vast majority of them; and when we deal with a statement of that kind we must be dealing with evidence which implicates them all. Now, I cannot find any evidence which implicated them in common except that relating to the advocacy of boycotting. There is no other form of intimidation of which it is alleged that they have been guilty. No doubt it is easy to denounce and to blame. I do not dispute that it may be right to blame; but here again, in order to do justice, you must remember certain facts. The learned Judges had focussed before them all the results of intimidation and boycotting spread over a period of 10 years, but it never came before the leaders, who were engaged in a great agitation, in anything like the same form. They would hear that in this quarter or in that, individual crime had resulted from boycotting; but that

would produce a very different impression upon the mind to such facts as were laid before the learned Judges and which are to be found collected in this Report. The leaders of any great movement, having their minds earnestly and eagerly engaged upon it, are not in a position to judge—it would not be fair to expect them to judge—with the same calmness and deliberation as we may after the event and upon a review of the whole circumstances. There has never yet been any great agitation in which multitudes of persons have been interested that was free from crime. But it would be unfair to say that the leaders were responsible for it because, as soon as a crime was committed, they did not cease their agitation. Such a doctrine has never hitherto been insisted upon. No great strike has ever taken place without violence and outrages, which the leaders of the strike did not desire or intend, and it is found by the Commissioners that the Irish leaders did not desire or intend the violence which took place. I say that those who incite to a strike have never been held responsible for such occurrences, and they have not been found to cease their efforts as soon as they heard that an individual had so acted that their agitation might be said to have resulted in violence. No doubt in movements of that kind a time may come when the connection may appear to be so close and the results so constant that it would be the duty of any leaders of an agitation, when they see those results, to hold their hands on account of the consequences which forced themselves on their notice; but it is always difficult to judge when such a time has arrived. It would have been a serious matter if the Irish leaders had stayed their agitation. They were contending for what they believed to be the necessities of the Irish tenantry. They believed that unless they secured an alteration of the law that tenantry by hundreds and thousands might have been dealt with as they had been treated from the year 1847 and onwards, and they might well hesitate—they may have been to blame—to stay their hands. It is said it was their duty to stay their agitation, because in individual instances consequences which they never contemplated had followed from it. They might be blameworthy, but the blame cannot rest on them alone. Must not part of the responsibility rest upon ourselves? What is the baleful lesson that we have been teaching the Irish during all these centuries but this: that the just and reasonable claims of the Irish people had no chance of consideration and success unless there were agitation, disorder, and almost anarchy? I need hardly remind your Lordships of instances, but I can give illustrations of this. Is it not acknowledged that Catholic emancipation, which all now admit to be so just, would not have been granted but for the disorder and almost rebellion which prevailed in Ireland? Has it not been the same in Irish history from that time onwards? It is said that this is an argument which ought not to be used, as it encourages revolt and outrage. I entirely dissent from any such doctrine. I do not think that telling the truth ever does harm. Much more harm is done by pretending you do not see the truth when everybody else sees it. The noble Marquess, who dwelt with such eloquence on this point, in 1881, on the Second Reading of the Land Bill used these words:—

"In view of the prevailing agitation, and having regard to the state of anarchy in Ireland, I cannot recommend my followers to vote against the Second Reading of the Bill."

THE MARQUESS OF SALISBURY: I never said that.

LORD HERSCHELL: I have read the noble Marquess's language as reported in *Hansard*. Did not that imply that if there had not been that state of agitation and anarchy in Ireland, he would have invited his followers to vote against the Bill? If he had issued that invitation, what would have been the result? Certainly that the Bill undoubtedly would have been lost, and would not have passed into law. It comes, I think, a little strangely from one who used that language that there is danger in granting concessions to Irish agitation.

THE MARQUESS OF SALISBURY: I never said that there is danger in granting concessions.

LORD HERSCHELL: I certainly understood the noble Marquess to say that there was danger in palliation, but whether the noble Marquess so expressed himself or not, at all events the Chancellor of the Exchequer in the other House did in the most emphatic way. I

have the less hesitation in remarking upon it, because I do believe there is growing up in the people of England a desire, if it be possible, to concede the views which are entertained by the majority of the Irish people, and to do their best to give satisfaction to those views. There is growing up in the Irish people a greater trust in England; for the first time they are convinced that Englishmen desire to do them justice. There are many other matters to which I ought to refer, but I am obliged to pass over them because it would be impossible for me to trespass so unreasonably on your Lordships' time, and I omit them only because I feel I ought not to occupy much more time than I have already done. But there are one or two matters to which I must still allude. As to the finding that the Irish Members received money from Ford, who was the editor of a paper which advocated the use of dynamite, and who represented the extreme section of the Irish Party, and that it was through his means that funds were received by the Irish Parliamentary Party, opinions may differ with respect to the blame that attaches to such a thing; but I should have been grateful if they could have diverted every dollar from the purposes of the dynamite party to those of the Parliamentary Party. Terrible as it may be, it is the fact that there exists in this 19th century men animated by so bitter a hatred of this country that they are prepared to use even such an instrument of violence as dynamite, as they believe from motives of patriotism, and to fulfil what they conceive to be their duty to their country. What are we to say to the existence of such feelings as those? Shall we be satisfied with merely wrapping the Pharisee's garment around us and thus expressing our indignation and contempt? Or shall we not rather probe a little deeper and ask how it is that there exist these tens of thousands of men, either British subjects or the sons of British subjects, who entertain these sentiments towards this land? Why should we be the victims of this perverted patriotism? We need not look far for the causes; the figures which the noble Marquess himself read eloquently proclaim them. Tens of thousands of families driven from their homes out on to the highways and byeways, and driven at last to find homes on the other side of the Atlantic, their trusted leaders on whom alone they depend for help regarded as enemies by the British Government, prosecuted and imprisoned or transported. What wonder if, in these circumstances, they have carried with them bitter memories to the land in which they have found a home! Shall blame be attached to them? Does not blame attach to others? It may be that all this was not directly the result of misgovernment; but your Lordships know that even with peoples far more politically advanced than those men everything which the people feel to be burdensome and evil is attributed to Governments, and that much of this evil condition of things was attributable to the government of Ireland by this country in those sad years, I do not think any human being who reads its history can doubt. Can we wonder that the Irish Nationalist, though he may condemn acts of violence and the use of dynamite, cannot see these men exactly with the eyes that we see them with—cannot regard it as such defilement to touch them as we might? We see only in these examples of perverted patriotism bitter enemies of our own country; but they look behind those things, and see in the Nationalist a man whose very hate of this country is the measure of his love for his own; they see behind all these things a man whose heart beats in sympathy with their own when they talk of their common country, a man who longs for happier times under better government than there has been in the past. I do not palliate these crimes for a moment; no one would denounce them more strongly than I should; but there is authority which will not be gainsaid for the assertion that hatred and detestation of wrong are not inconsistent with charitable consideration for the wrongdoer. My Lords, there is one other part of the Report to which I will make reference. It is the concluding part of it, which deals with the Clan-na-Gael. Now here I cannot but think the Judges were somewhat misled. The point of the whole of that part of the Report is this—that the National League of America had been captured by the Clan-na-Gael, and was being worked by the Clan-na-Gael, which was a secret society using violence or intending to

use it. The whole of that part of the case depended upon the evidence of Le Caron, who produced a number of documents issued by the Clan-na-Gael themselves. Beyond that there was no evidence at all. Why was the nature of those documents, They were boastful circulars, said to have been issued by the Clan-na-Gael to its own members, in which they claimed credit for having captured the Irish National League of America. Beyond that there was no evidence at all. The Clan-na-Gael numbered 18,000; the National League of America consisted of many tens of thousands. The Clan-na-Gael was in numbers insignificant in comparison. It may be, as the Judges have found, that members of the Clan got themselves elected on the committee of the League; but there is not a tittle of evidence that they got themselves so elected because they were members of the Clan; there is no evidence even that many of them were known to be members of the Clan at the time they were elected; and, above all, there is not the slightest evidence that the so-called capture was used for the ends of the Clan-na-Gael—that they were ever able to use their position in the American National League in order to further the purposes of the Clan-na-Gael, or that they so got it into their power as to be able to use it for their own ends; and, unless they did, the whole matter becomes absolutely wanting in importance. I think it right to say that for this reason: that there were thousands of men of position, respectability, and honour in America who were members of the Irish-American National League; whatever you may think of their politics or their views, I think it right to say that, as far as I can see, there is not the slightest evidence that they ever knew that the Clan had got any preponderance upon their committees, or ever influenced their action, or that the League as a body ever was a party to, or express approval of, any act of violence, outrage, or wrong. I will only trouble your Lordships with a few words on the other proposal of the noble Marquess. The noble Marquess thought that we should thank the Judges for their impartial conduct. It seems to me that that is not only a novelty, but rather an impertinence than a compliment. There are some things for which to be thanked is, to my mind, an insult, and one of them is to thank Her Majesty's Judges that they have been just and impartial. What else would you expect them to be? [*Ministerial cheers.*] Yes, my Lords, what else did you expect them to be if by just and impartial you mean just and impartial in intention? Is it that we are asked to declare, what none of us can know, that these learned Judges had no bias, or that they had a bias, and yet that they had succeeded in doing absolute justice? What knowledge or authority have you which could be your justification for putting that on record? It is something new to my mind for Judges to be thanked by the Houses of Parliament. It has hitherto been our view that they should be kept aloof from the Executive and administration of this country. But why should you thank them for impartial conduct in this proceeding more than in any other? It has not even been the practice to thank those who have been appointed to serve on Royal Commissions for their services or for their justice and impartiality. If that had been the custom I could have understood it, but it is a novelty. Why should you thank these learned Judges for their just and impartial conduct when you have never done anything of the kind before? When the noble Marquess moved the Second Reading of the Bill appointing this Commission, he mentioned as a precedent a Commission over which I had the honour to preside. I begin to feel somewhat uncomfortable, as no thanks were voted to me by this House. I am afraid it is an imputation that I did not act with justice and impartiality; for otherwise I do not know why I am not as much entitled to the thanks of the House for the exhibition of those qualities as the learned Judges who were appointed under this Commission. It seems to me it is an evil course for this House to adopt, and there is no precedent for thanking these Judges for their just and impartial conduct in this case, or indeed for thanking them in any way at all. Your Lordships propose to inscribe upon the Journals of the House your condemnation of Members of the other House of Parliament, for that is really the proposal of the noble Marquess. I regret that you should do so. I am not going to follow the noble Marquess through the political portions of his

speech. That is a matter which may have to be discussed, and I shall not be afraid to meet him on that ground; but it is impossible to enter upon such a discussion to-night, and that alone is my reason for not answering now the observations he made. But I cannot help regretting that you should make this record on the Journals of this House of your condemnation of the conduct of Members of the other House, because I think, in view of the occurrences of the last two years, we are too close to the fight to take an unbiased view of them, because while our vision is clouded by the dust and smoke of the combat we cannot raise ourselves high enough to emerge from them and to be free from their influence. How often have we seen the contemporary verdict upon public men and events reversed by that of posterity; and how seldom has the judgment passed by political opponents upon public men, especially men who were taking part in political agitation, been adopted by the maturer judgment of mankind. There are many striking instances of such reversals of judgment in history. Do your Lordships suppose that if at the time of the Free Trade agitation, when the leaders of the movement were charged with inciting to crime and were sought to be made responsible for the language they used, and about whom language of extreme violence was used at that period, there had been a record of the opinions of the majority of the House, that record would not have contrasted very strangely with the eulogies passed not very long ago by the noble Marquess upon a late Member of the other House who was a distinguished leader in that agitation? I am only putting that as an illustration of how opinions may change, and surely it is a very striking one. It was not very many years ago thought to be a disgrace to English politicians to be even in correspondence with Mazzini, and yet I see that the King of Italy the other day subscribed 100,000f. for a statue to him as a patriot, to be erected in Rome. When the story of this great drama comes to be written on the calm page of history, and the prejudices that have surrounded and beclouded it and have obscured our view, have disappeared, it may be that praise and blame will be allotted in a very different fashion from that in which it is now apportioned, and that those who to-night are the objects of your condemnation will not have the most cause to regret that this record has found its way on to the Journals of this historic House.

*THE EARL OF SELBORNE: My Lords, my noble and learned Friend who has just sat down always addresses your Lordships' House with ability and eloquence. So much as that I can say by way of commendation of the speech which we have heard, but my noble and learned Friend must excuse me for saying that there were a great many things in that speech which I would rather, much rather, have heard from any other lips than his own. I shall not imitate the somewhat declamatory manner in which he treated some parts of his subject; but I will notice briefly, in comparison, certainly, with him, what I have observed as the principal points of his criticism. First of all, he has favoured your Lordships with a repetition almost complete of his speech upon the Second Reading of the Bill a year and a half ago. The noble and learned Lord said he had been referring to-day to some of the speeches in a former debate. I, too, have to-day had the pleasure of reading his own speech, and I must say there was hardly a single point in it which he has not repeated to-night. I think it is enough to say in answer to a great part of his speech that Parliament has passed the Act under which the investigation has taken place, that it is part of the law of the realm, and that we are now not in that stage but in the stage of considering the Report and the result. So much more as this I will also venture to say upon that part of my noble and learned Friend's speech, not intending to repeat the very sufficient answer which was given to it at the time by my noble Friend Lord Derby. I quite agree with my noble and learned Friend that because a man does not bring an action it is not to be taken for granted that everything published about him is true. I certainly cannot admit that anybody on any side in politics is to be deemed to have been justly charged with a crime unless he brings an action, or that every man is bound to bring an action if in a newspaper something is published affecting his character. Nor am I aware that everybody assumed in this case that

the statements made about the letters were true, merely because an action was not brought. But there was open to the person who was affected by these personal matters the ordinary remedy to which all other people who are not Members of Parliament must have recourse if they would clear themselves from libellous imputations. Nobody, of course, is obliged to do so; every man may rely upon his own character and his own reputation if he thinks fit, and I quite agree with my noble and learned Friend, it is not because a man does not bring an action that it is to be taken for granted that everything which is published about him is true. Certainly, to that extent I go with my noble and learned Friend entirely. But, my Lords, the matter did not rest there. For reasons, good or bad, the person charged did not think fit to bring an action, and I will not go into that question now; though I confess I do not agree with my noble Friend, that if an action had been brought against the *Times* newspaper and the defendants had refused to state how they came by their information, a British jury would have found against the plaintiff. That is quite an independent matter, but I hold that from the beginning it is absolutely necessary that the party who makes the publication or accusation in such a case should give the history of the document on which he relies before he can ask a jury upon a mere comparison of handwriting by experts to believe, against oath to the contrary, that the document is genuine. And when my noble and learned Friend says—"There was an allegation that some people might have been put in danger of their lives, or might have incurred serious risks if the way in which the letters had been obtained had been disclosed;" if that allegation would have been a bar to any proof of their authenticity before a Court and jury, I suppose it ought also to have been a bar before the tribunal of which my noble and learned Friend thinks so much more suitable to such a case as this; that is to say, a Select Committee of the House of Commons.

LORD HERSCHELL: A Committee of the House of Commons could have compelled the attendance of everybody concerned—anyone it chose to call.

The Earl of Selborne

*THE EARL OF SELBORNE: And so, practically, could the Court. The Judge could have said to them as defendants, "The Court must know all about the documents on which you rely, the whole history of them," and if the defendants had said, "We will not tell you the whole history of them" for any reason whatever, the Judge would have told the jury, "You must draw your own conclusions from that refusal, and I must tell you that, under such circumstances, nothing in the world is more worthless than the unsupported evidence of experts as to handwriting." Therefore I do not at all agree with my noble and learned Friend about that. The party accused had a perfect right, for reasons good or bad, to leave the matter without inquiry if he chose. But what did he actually do when he refused to bring an action against the *Times*? He was not content to leave the matter without inquiry—on the contrary, he challenged inquiry over and over again; and I do not know how much of the time of Parliament would not have been occupied by those repeated demands for inquiry if no form of inquiry had been granted. My noble and learned Friend thinks, and he has a perfect right to his opinion, that it would have been a more Constitutional proceeding to have inquired into these matters by means of a Select Committee of the House of Commons. I do not at all agree with him. There is no reason that I know of why accusations of libel privately affecting the Members of the House of Commons should be inquired into by a Committee of the House of Commons more than by any other tribunal. In the case of a libel upon any Member of your Lordships' House, I think that a Committee of this House would not be the fittest tribunal to adjudicate upon it. Putting aside technical words, such as the word "constitutional which are often used to obscure plain meanings, I would simply ask whether that would be a fit and proper tribunal; and I cannot conceive a more unfit or improper tribunal to make such an inquiry than a Committee of the House of Commons. If it had been necessary to establish that proposition to the satisfaction of men who have discussed it before, I should say that the debate which has recently been held in that House on the Motion for

recording this Report upon its Journals, and even some parts of my noble and learned Friend's speech show the necessity there was for a calm, judicial, and satisfactory investigation, which could not have been entered into by a Committee of the other House. Why should a matter affecting Members of the House of Commons be better inquired into by a Committee of that House than by a judicial tribunal? But my noble Friend says that if the Government did go elsewhere and appoint Judges to make the inquiry, they should not have chosen the Judges not without, but with reference to their known or supposed political opinions. For my part, I believe that all the Judges would have been, and are, impartial. But my noble Friend seems to think it would have been better, if instead of taking Judges who, as far as anybody knows, had not meddled with these matters at all, they had done the very thing which must have made a Committee of the House of Commons an unfit and improper tribunal; if they could find out a Judge who had an opinion one way, and another Judge who had an opinion the other way, to put them together and let them form a tribunal of opposite views. My noble Friend's argument would require, that it should be an equal tribunal, numerically, representing divergent opinions. For, if you had bias among three Judges, you might have two one way and one the other. I think that was a part of my noble Friend's argument, which he must entertain with a very firm persuasion of mind, because he has used it twice—a year and a half ago and again to-night. It seems to me the most extraordinary argument that could be presented when you are considering what the real question is, namely, how you can best obtain an investigation which will, as far as human certainty goes, be free from Party prejudice and bias. My noble Friend says all men are biased, and that Judges have more or less opinions about political matters. Well, the less we know about their political opinions the better for the discharge by them of a duty of this kind. For my part, I believe that there is a vast difference between having political opinions and allowing them to influence the mind upon an inquiry into matters of fact—and these are questions of fact. The questions of law which are mixed with the facts appear to me to be few and simple and admitting of no real doubt or difficulty whatever. It would not have done to have inquired into the political views of the Judges and to have selected two of one way of thinking and two of the other way of thinking, so as to get an equally balanced tribunal, with the result, possibly, that a Court, so intentionally constituted with a view to Party differences, might have been equally divided in opinion. We should thus have had an attempt to reproduce the very elements which make a Committee of the House of Commons an objectionable tribunal in matters of this kind. The real question is, Have we had or not that just, calm, and equal examination which those must have hoped for who determined to have this judicial tribunal especially constituted by Act of Parliament? I think we have. The whole conduct of the proceedings was judicial. In the first instance, the learned Judges directed that the charges sought to be proved must be formulated: and I must say that I do not find in this Report that some of the charges pointed to by my noble and learned Friend were among those so formulated. I find, indeed, in the Report of the Commissioners a set of charges which were formulated, not by those who brought the charges, but by the counsel for the other side. In addition to those formulated by the accusers, there were supplementary charges brought forward, in order to see whether any of them ought, in the opinion of the Commissioners, to be added to those already made. With regard to those charges we must look at the ultimate findings of the Commissioners, and we find there that a great and important part of those which were mentioned by my noble and learned Friend are not the subject of any findings, and there is not the least trace that the Commissioners were of opinion that they ought to be considered as among the charges to be investigated.

LORD HERSCHELL: I should be glad if my noble and learned Friend will point out which of the charges he alludes to. I believe he is quite wrong.

*THE EARL OF SELBORNE: I am quite certain it is so. Of the charges

which were not among those formulated on the part of the accusers, there are more than one which they do go into; the most important of them, upon which the Commissioners decided in favour of the accused, being that which relates to the connection between Mr. Parnell and the Invincibles.

LORD HERSCHELL: My noble Friend is quite mistaken. The first one that I read was that the Land League had based their agitation on boycotting and violence. They found that was the meaning of the *Times'* article, and that that was not proved. I have taken every one of them.

*THE EARL OF SELBORNE: There are a great many things in the body of the Report on one side and the other, more or less important, which, in my judgment, afford additional proof of the impartiality of the Commissioners. No doubt my noble Friend will find in the Report matters of the kind to which he has referred, but they are not treated as the specific ground of the charges upon which findings, Yes or No, were ultimately to be given, and they stand in that respect in contrast with the particular charge about the Invincibles. Now, my Lords, did the Judges or did they not act in such a manner as to deserve the expression of opinion which it is proposed to be passed upon their Report by your Lordships? I think that from the beginning to the end they did. It seems to me that not only have they found certain matters in favour of the accused, but in reference to other matters they have expressed their opinion that the charges were either not proved or not established, though they do not find them to be absolutely disproved. And in every one of the findings adverse to the accused there is the most careful abstinence from anything like exaggeration or undue colour. Every qualification which could be fairly made has been introduced in favour of the accused, and nothing found against them has been at all exaggerated. For my own part, I cannot but think that the words which Sir James Hannen used at the end of the proceedings are fully warranted by the result. He says—

"Conscious that thoughout this great inquest we have sought only the truth, we trust that we shall be guided to find it and set it forth plainly in the sight of all men."

The Earl of Selborne

I think they have done so; and I do not agree with my noble Friend that there is any kind of reflection to be made upon Judges appointed specially for an extraordinary purpose by Act of Parliament, if you acknowledge that they have done their duty with the justice and impartiality which are evident upon the face of the Report, by their balanced findings, by their refusing to find upon evidence they think insufficient against the accused, and by the guarded and qualified findings which they are obliged to arrive at on the other side. The House is not examining into the evidence, and it is right that your Lordships should show that you recognise the Report as containing, on the face of it, the proofs of the justice and impartiality of the Judges, and that in that, and in no other sense you adopt it; especially so as some persons happened not to admit their justice and impartiality. The other criticism which my noble Friend has made upon this proposed Resolution seemed to me to have rather more in it than many others of his arguments, and that is in reference to the term "adopts"—that the House adopts the Report. But we must look at the matter and construe that word according to the common sense of the Resolution, and it is obvious that the word "adopts" there means nothing else than what is more explicitly carried into effect by the last words, "and orders that the Report be entered on the Journals of the House." Of course, the House is not now sitting in appeal upon the Report, or entering upon an examination of the evidence; but taking the Report as just and impartial upon its face, and therefore proper to be accepted—adopted in that and in no other sense. When my noble and learned Friend said that because there are many landlords, some of them Irish landlords, in this House, it is unfit for us to adopt the Report, everybody knows that we are not reviewing the Report of the Judges. We are simply accepting it and nothing else. Therefore, when my noble and learned Friend threw that in, I think it was clear that in that, as well as in some other parts of his speech, he was not addressing your Lordships, but saying that which was meant for somewhere else. There is no objection in the world to his doing so; but I can-

not help thinking, at the same time, that arguments should be addressed to your Lordships which have enough reason and substance in them to be fit for the consideration of the House, and not exclusively for consumption elsewhere. Now, my Lords, I come to the only exception of a definite kind which my noble and learned Friend took to the findings. I do not mean to say he did not criticise, though slightly and cautiously, other parts of the Report; but the only one as to which his criticism seems to me to call for any answer is the particular subsidiary finding that payments were made to persons who were, or had been, injured in the commission of crime; and he said that that rests upon evidence of a slight kind in a single letter, and that the whole body of the respondents are treated as affected by it. My noble Friend thought there was not sufficient ground for that finding. Well, my Lords, I am of a different opinion, and for reasons which I find in the context in that very part of the Report. The context is this, and it affects several points on which it is found that the charges are not proved, not established. My noble Friend the former Viceroy of Ireland did me the honour the other day to refer to something I had said upon that and upon other matters. Probably my noble and learned Friend was misled by some imperfect report of what I said: which related only to one finding, namely, that it had not been proved that payments were made for the commission of crime. As to this, finding them positively absolved from the charge of inciting to crime, I thought it was a reasonable inference that they would not have made payments for its commission. Therefore, upon that point I was not disposed to make a distinction. But as to other points upon which the proof was actually in their own power, it is consistent with what has been proved that they should have made payments. Upon that point the finding of the Commissioners is most important, that there were whole sacks full of documents made away with. My noble and learned Friend objects to the finding that documents were made away with. But I must remind him that a Member of Parliament of very high character, belonging to the Irish Party, stated in an affidavit that certain books which were in existence would be produced, but when they were called for they were not produced; and according to the extremely well-known principle of law, when people destroy or will not produce evidence which they either have or ought to have in their own power, every reasonable presumption may be made against them. My noble Friend has said something about Mr. Houston in addressing your Lordships; but I think it is not in the least worth while for me to deal with Mr. Houston, who, as far as I can judge, was not the wisest of men; but I have not so read the evidence as to infer that there was dishonesty on his part.

*THE EARL OF KIMBERLEY: I am astonished.

*THE EARL OF SELBORNE: I repeat what I said; but, for the purpose of the present question, I do not think it is of the slightest importance whether he was as dishonest as Pigott or as honest as my noble Friend. However, that is an interruption. I was going to say that upon points where the charges were found not to have been established, and where those books if produced would have given irrefragable evidence, the value of a finding of "Not proven" is very slight. But their absence is of still greater value from what appears in those which happen to have been preserved; and I was going to say that when you find in one case an instance of a certain thing being done and nothing to prove that it is an isolated case, then I hold that it is a step of importance towards the conclusion that it was not an isolated case. But it is corroborated by another fact of very great importance indeed, and that is that it is found as a general thing clearly established that, systematically and indiscriminately, these League people paid for the expenses of the defence of persons accused of crime; and the Commissioners justly observe that it was impossible that such a practice, and the supporting of their families in the same way, should not have encouraged the commission of crime. When you have so much proved as that, that they did what systematically and indiscriminately supported the families of these men and paid for their defence, and when you find from this document, which has

escaped from the general destruction, evidence that in one case they made compensation to a person or persons who had been wounded in the commission of crime, who no doubt might be very fair objects of compassion to those who had common cause with them, I think you have evidence from which you may fairly draw the reasonable inference, and from which a jury ought to draw the inference, that it was not an isolated act. And as to the question whether this should be imputed to the League, the money was taken out of the League funds by their authorised officers, and if the principal inference is right, the inference that the respondents who were leaders of the League were also responsible parties and answerable for it is right also. It is one of a series of acts. The noble and learned Lord deals somewhat tenderly with the objects and means of the League. He represents the objects as if they were to restrain unreasonable evictions, to obtain the reduction of excessive rents, and some beneficial legislation for the people of Ireland on agrarian subjects. Now, I do not read either the findings of the Commissioners, or the facts on which they proceed, in any such way. To my mind, the facts appear to be clear. The Commissioners describe the objects thus:—

> "They did enter into a conspiracy by a system of coercion and intimidation to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords."

That is a very different thing, and the facts, I think, in the body of the Report clearly prove it. I will not say all those facts are new, because some of us knew them before, but upon their novelty I shall have something to say presently. I say that an object more utterly wrong, morally as well as legally, than that of trying to destroy the value of the property of a class who are entitled to their property by law, and drive them out of the country—to exterminate landlordism, which was, in fact, the object they had in view—it would be very difficult to imagine. Then, with regard to the means. My noble Friend very cautiously says there may be some boycotting which may be lawful. Whatever he means by that, I do not know what it is, but I know some people often call a thing by a name very different from what the thing really is—but what is found? The learned Judges have found on the clearest and best evidence on the face of the Report, putting aside what we all knew before, "That it was a conspiracy to promote an agrarian agitation by a system of coercion and intimidation." My noble and learned Friend will not say that a system of coercion and intimidation is not illegal. As to conspiracy—it so happens that the words "criminal conspiracy" are not the words used in the ultimate finding of the Report—but it was a conspiracy for a purpose obviously illegal, obviously unlawful, and obviously wrong. Nay, it is not merely a system of coercion and intimidation, but a system of intimidation of a most severe and cruel character, an elaborate and all pervading tyranny. Those are the facts, and those are the words of the Report. So much with regard to the direct means. And what is the consequence? They find that, not exclusively, but mainly to that agitation the increase of agrarian crime, until the Coercion Act of Mr. Gladstone's Government, was due. They give very good reasons for that finding also. But it does not stop there. As you go step by step through this Report you find the connection with crime becomes more and more direct. Intimidation is crime, and it is so recognised in the Report. Therefore, their first direct means are criminal. Then, secondly, there are other organisations, their relations to which are brought out clearly in the Report. And when my noble and learned Friend speaks of the Report as containing mostly things we knew before, I do not know what speeches people may have made, but even to me, who knew what was going on at the period when this happened, as a Member of the Government, the connection of the whole matter, in all its branches and steps, is virtually new. This Report has brought out, upon sufficient evidence and proof, step by step, the connection of this so-called Parliamentary organisation with another criminal organisation, and has proved a connivance with crime, though, no doubt, not directly recommended. What are the steps? In the first place, it is admitted that they never did anything whatever to assist the course of justice in any single case, and one of the most candid of

them, Mr. Matthew Harris, is quoted in the Report as accounting for that by saying that anybody who did so, who might assist in bringing to justice anyone accused of agrarian crime, would forfeit his influence in Ireland. They paid for the defence indiscriminately of everybody accused of these crimes; they never gave any assistance to the detection or punishment of crime; and in the words of the Commission—

"Although some of them did *bonâ fide* express disapproval of crime and outrage, they did not denounce the system of intimidation which led to crime and outrage, but persisted in it with knowledge of its effect."

And as to Mr. Parnell himself, not only do the Judges say that no denunciation by him of the action of the Physical Force Party was given in evidence, but that he himself stated in the witness-box that he could not say that he had ever found fault with the Fenian movement. Mr. Parnell, and some of his friends, denounced the Phœnix Park murders, committed at a particular time and under particular circumstances; but there is no evidence that they ever denounced any of the other atrocious murders or other outrages which were committed; and the Report appears to show plainly that they were in such relations with those who favoured such outrages, as to have their mouths shut and their hands tied, however much they might dislike it. I take only one instance, which is mentioned in the Report, the murder of Lord Mountmorres in 1880. There was a meeting of the Executive Committee of the League soon after. There was, I think, a Member of Parliament in the chair. Four or five other Members of Parliament were present, whose names are exceedingly well known; but I do not want to dwell upon anything personal, and I believe that the Chairman, who is stated in the Report to have been the editor of the *Nation*, had expressed disapproval of Lord Mountmorres's murder, no doubt with perfect sincerity; but Mr. Redpath, a trusted agent of theirs, who received their thanks, and who was employed afterwards as much as before, without a word of remonstrance, dissent, or expostulation from anyone present, spoke of Lord Mountmorres, the murdered man, in terms, to my mind, worse a great deal than anything contained in the forged letters which were imputed to Mr. Parnell. And in the newspapers which they circulated throughout Ireland there were direct incitements to violence over and over again, and sympathy even with the Phœnix Park murders, and opposition to the Government for their endeavours to detect them. In the *Irishman*, the paper which Mr. Parnell bought, as the Commissioners state, for the purpose of addressing his Fenian friends by its means, it having been a Fenian paper before, its old tone was maintained upon a promise which was kept. The Castle Authorities, at Dublin, were spoken of in it as worse than the Spanish Inquisition, or the Star Chamber, which was called diabolical, for the inquiries which they were making into these very Phœnix Park murders. On other occasions, in these newspapers which they circulated, the persons who were executed for those murders, Curley and Brady, were obviously treated as objects of sympathy rather than as persons who had violated the law. O'Donnell, who shot Carey, the informer, was treated as a positive hero. These things, it may be said, were not in the direct publications for which the League is responsible; but that is not true of the *Irishman*. They bought it and carried it on for five years, with articles of the description I have indicated in it. The *Irish World* they circulated for a considerable time too. How is it possible, therefore, to state that the system of violence was not a system of which they were making use by alliance with the practisers of it when they were circulating these newspapers which incited to violence? But it does not stop there. In other findings of the Commissioners this form of alliance is traced through its whole history, and it is shown that through the agency of Mr. Davitt an alliance was distinctly formed with the Physical Force Party in America, which was associated with the Fenians or Irish Republican Brotherhood in Ireland. One remarkable instance of this is that the authorities of the League, and among them a prominent Member of Parliament, disapproved strongly of the action of the branch at Cork, when it condemned a Fenian raid for arms, declaring that it was not their business to interfere with other organisations. Every person who joined in that resolution censuring the raid was expelled from the branch,

and the branch was re-formed. The Commissioners state that this was a strong instance of the connection between the two organisations, and in another place the Commissioners say that throughout the whole of the proceedings of the League the connection with the party of violence can be traced as controlling and influencing its action. Here we have light of the most valuable character, which will have a permanent historical value, and will be most useful for the guidance of statesmen now as to the actual connection, direct and indirect, by different steps and in different degrees, between the action of the so-called Parliamentary Party and the use of criminal means—intimidation itself being criminal—and other outrages and crimes which were carried on by agencies with which they are proved to have been in alliance. My noble Friend has complained that the noble Marquess has said nothing of the findings which were in favour of Mr. Parnell. The noble Marquess proposed, as I understand him, to put the Report, as a whole, on record, and, of course, in this record, the findings in favour of the accused will be quite as much noticed and recognised in this House as those the other way. I should be very sorry to be guilty of imputing to Mr. Parnell what he has not done, especially if it is a thing which he disclaims, and which he in his own mind distinguishes from other things he has done. But I do not see how it would be possible to take special notice of those findings which are in favour of the accused, and not also to take special notice of the findings which are the other way. If your Lordships adopt the Report as a whole in the sense I ascribe to the Resolution, and enter it on the Journals, it will speak for itself. It will show what is in favour of one Party and of the other, and its effect as a whole will be understood by those who read it. I should be sorry to detract from the importance of any of the findings which are in favour of the accused; but it seems to me that the general charges which were proved are much more important to the public than the personal charges, which, after all, relate only to one particular cycle of transactions and to one particular period of time. They relate to the Phœnix Park murders, to the forged letters, and to the knowledge which Mr. Parnell may have had of Mr. Sheridan's and Mr. Boyton's acts in the West of Ireland, when he was released from Kilmainham; and also they relate to a particular payment made to Egan. These are facts relating to one particular epoch of time and to one connected period of events. To this extent Mr. Parnell is entitled to the full benefit of the exoneration given to him. But can we shut our eyes to the fact that he, under whatever political compulsion, was connected with another organisation which used means which he may not have personally approved of? I cannot see any justification or excuse for going on with the system of intimidation which led to crime when he knew that it led to crime, and at the same time doing those other things to which the Commissioners have referred, which showed that he was willing to make use of the alliance of persons who used means more violent than his own. My noble Friend has said that the antecedent state of things in Ireland ought to be taken into account. I do not think it ought to be taken into account at all, in the way my noble Friend has suggested; and, in one respect, I think that if it is taken into account it makes the case worse rather than better. Because when it was known how inflammable and easily excited to crime were some classes of the Irish people, then those using language leading to crime, intimidation, and boycotting, cannot be dissociated from the knowledge that it produced certain effects. My noble Friend says that all this crime was the result of bad laws, and that these things were done to obtain better legislation; but, if my memory does not greatly deceive me, when the legislation of 1881 took place, and the Land Act was passed, instead of these things stopping, they burst out more violently than ever for at least a year after that time. I know it was the opinion of Her Majesty's Government that there was a battle going on between the Land Act and the Land League, and the agitation was not to get a Land Act or anything of the sort. And what has happened since? Since that time they have practically thrown over the Land Act altogether, and are seeking still, by illegal and un-Constitutional means, to carry out the

object of impoverishing the landlords and driving them out of the country. My Lords, these are the lessons which I derive from the Report, and, taking that view of it, I entirely concur with the Motion of the noble Marquess.

*THE EARL OF KIMBERLEY: My Lords, my noble and learned Friend said that he thought the speeches from this side of the House, or a speech from the noble and learned Lord behind me, at all events, was rather addressed to an audience outside than to the audience here. Well, perhaps that is not very surprising, because I apprehend that whatever arguments we may address to the audience here, the immense majority of this House is so entirely biassed by political feeling upon this subject, that no arguments are likely to have any effect upon them. I think, however, that it will be very different with the public outside, who, before long, will show that they do not agree with the view of the majority of this House, or with the effect of the Motion of the noble Marquess. The noble Marquess, who introduced this subject, said very fairly, as an argument, that the Party on this side of the House had invented a very ingenious manœuvre by which to obscure the real issue to be tried before the Commission, and that they had prominently brought forward the forged letters as though they were the only subject to be discussed. But it is curious that we on our side of this House should have imagined that the manœuvre, if there was one, was an ingenious and well contrived manœvre on the part of the Government, because it has always appeared to me to have been very well contrived that when it was seen that this forged letter business was not likely to turn out very well, this inquiry was invented, with a number of issues of a much wider kind, which it was hoped would obscure the other issues which had to be tried. That manœuvre was extremely successful; but I was very much surprised to hear my learned Friend who has just spoken speak of the charges with regard to the forged letters as not being the primary and principal object of the whole matter; and I would put it to your Lordships in this way: Does any person suppose for a moment that if those letters had not been published by the *Times* newspaper, there would ever have been an inquiry of this kind before a Commission? The notion is preposterous. No one can conceive that the Government would have proposed to appoint a Commission of three Judges to inquire into the political condition of Ireland during the last few years. The whole thing was caused by the publication of those personal charges, which were of such a nature that those who were charged with them, if they had been found guilty of those crimes, would have been unfit to associate with men of honour, or to remain Members of the other House. That was the primary cause of the inquiry. I shall not repeat what was said by my noble and learned Friend behind me as to the nature of this tribunal, but I cannot agree with the noble and learned Lord who has just spoken, that because it was done under an Act of Parliament we are not entitled to discuss it. It does not follow that because Parliament passes a law, that everybody for all time is to approve of it and not discuss it. We continue to improve as time goes on. My own opinion may not be worth much, but I believe no more utterly wrong act was ever done than to refer these political issues to a tribunal of three Judges. The very comments made upon the Judges show how inconvenient it is that these political issues should be so tried. A considerable number of the questions which are disposed of in this Report are in their very essence merely political. I will not say only the major part, but that all the things there dealt with apart from the specific charge based upon the forged letters, were put forward in a political speech of Mr. Forster's in the year 1882, and they were notorious to everyone. The noble Marquess said, to my astonishment, that a great many things were brought to light by that inquiry which were not known before; but I will undertake to say that there is not practically anything in this Report which was not to be found at that time in every newspaper of the day. All these things on which findings are made were known to everyone. These matters of boycotting were brought in the fullest manner before Parliament. There is not a word new in reference to the charges, except, I think, that £6 was paid to someone by the Land League for injuries sustained in the commission of some

crime or outrage. That is undoubtedly new. From that fact some extraordinary inference is drawn, and upon it some extraordinary conclusions are founded. It is said that we should have found that very large similar payments were made by the Land League, if we could only have seen the Land League books. My noble and learned Friend pointed out that those Land League books had been destroyed.

*THE EARL OF SELBORNE: I do not know that I said "destroyed," but practically got out of the way in some way or other.

*THE EARL OF KIMBERLEY: Well, got out of the way in some way, which a Court of Justice would have condemned, but I maintain there is no evidence of that at all. As to Mr. M'Carthy, if I remember rightly, I think he gave a list of papers which he knew to be in the possession of the Land League, but he stated publicly that he never undertook for a moment to produce them, but that he would have no objection to do so. The answer he gave may have been a perfectly true one, namely, that in the confusion attending the breaking up of the Land League these books were lost, and I do not think my noble and learned Friend has the slightest right to assume that those books were with any criminal intention destroyed. I say that it may have been so, but there is no evidence whatever to prove it, and where there is no evidence upon a particular charge of this kind, against a man who has been found in regard to other charges not to be guilty, the only course to take with respect to that particular charge is to treat it as not proved.

*THE EARL OF SELBORNE: The passage I refer to in the Commissioners' Report is this—

"Mr. Justin M'Carthy, M.P., in an affidavit he made on October 9, 1888, stated that he had obtained a list of the books relating to this League, and which he was willing should be produced. This list had been furnished to him by Mr. Brady, the secretary of the English branch of the National League. During the progress of the case the production of these cash-books and ledgers for the years 1881 to 1883 proved to be of importance. When called for Mr. Justin M'Carthy was unable to produce them, and was unable to explain the reason for their non-production."

*THE EARL OF KIMBERLEY: I was perfectly aware of that passage, and if the noble and learned Lord will examine it with care I think he will find that there is no statement in it that Mr. M'Carthy gave an undertaking to produce the books. What he said was that as far as he was concerned he had no objection to their production. That is the whole substance of what he declared. He never declared that he had the books in his possession, or that he had access to them, or that he could guarantee the production of the books. I believe that is a perfectly correct statement of the matter. The noble and learned Lord referred to some statements of the learned Judges on the subject of the connection between the Land League and the increase of crime. Now, that is exactly one of the matters upon which I complain, that this subject should have been submitted to the Judges, because I do not hesitate to say, with all respect for men of their high judicial character, that they were not competent; that they did not know enough of the political history of Ireland, or of the circumstances of the case, to be able to form a correct judgment in the matter; and I maintain that anyone who has followed the political history of Ireland will find in this Report plain proof that the Judges did not thoroughly understand the matter with which they had to deal. Let me say why I am of that opinion. You will find at page 88 they say they are of opinion—

"That the increase in agrarian crime during those years" (1879 to 1882) "though not exclusively to be ascribed to the agitation was mainly due to the action of the Land League, its founders and leaders."

And if you look a little further back in the Report you will see what I think is a most extraordinary statement. The learned Judges say—

"As to the third suggestion, namely, that the throwing out of the Compensation for Disturbance Bill in August, 1880, was the origin of the increase of crime, we are of opinion that it was not an effective cause of that increase, but that it arose from the agitation of which the rejection of the Compensation for Disturbance Bill was made the occasion."

My Lords, according to my notion of logical sequence that statement would show that the crime was caused by the rejection of the Compensation for Disturbance Bill, because if the rejection of the Compensation for Disturbance Bill caused the agitation, and the agitation caused the crime, by what possible sequence

of reasoning can you come to any conclusion other than that the action of this House caused the crime? I maintain that the Judges have taken a wrong view of the matter; there were concurrent causes, and all those causes have had their effect. The learned Judges, in my opinion, have not given sufficient weight to the previous agrarian difficulties in that country; to the war which has been going on for generations between the landlords and tenants in that country; and that they have not done so because they could not be supposed to be aware of the whole previous history of Ireland and of the whole circumstances attending its present condition. The consequence has been that they have imagined that this agitation has itself been the primary cause, whereas the primary causes lay elsewhere. It is the common mistake which men, who are not accustomed to political affairs, make; men commonly imagine that the agitation is the cause. It is not so; the materials exist in the discontent to which the agitation gives voice, and the agitation only comes to a head when there has been something beforehand which enables the agitators to exercise an influence in the country. Then, again, the Judges, in speaking of the diminution of crime, ascribe it entirely to the operation of the Crimes Act. I am not going to say anything against the efficacy of the Crimes Act, which was passed during the time that I had the honour to be a Member of the Government; but I never heard it asserted before, and I never believed that the Crimes Act was the sole cause of the diminution of crime. I think our other measures have had some effect—I have no doubt that our measure of 1881 had its effect in alleviating the discontent existing between landlords and tenants. To say that the diminution of crime is to be ascribed entirely to the operation of the Crimes Act is, in my opinion, an entire misapprehension of the matter. I do not blame the Judges at all; I only say that I do not think they were the men who could have given due weight to all those causes, or to apprehend the due proportion of those causes. I do not think any man who has not been practically concerned with the affairs of Ireland for years past could do so. There are many noble Lords in this House whose opinion upon these matters I would take much more readily, and to which I would give much greater weight than to this opinion of the learned Judges, upon whichever side of your Lordships' House they may happen to sit. In the main, you can arrive at a far better conclusion, and form a far more competent opinion by setting four or five politicians of fair opinions in this House to examine such a question than by entrusting it to the consideration of Judges. Therefore, I do not attach any weight to the opinion, of the Judges in that respect at all. My Lords, my whole objection to that proceeding is, that it is to a large extent a political question which you have chosen to refer to a tribunal of Judges. It is a political question, and the whole of this business has been stirred up for a political purpose. Originally these letters were brought forward by the *Times* in a manner which, to my mind, was as shameful as anything which has ever occurred in connection with English journalism. I have not known anything so shameful ever having occurred before. It was shameful, not because the mere accusations were made, because a journal has the same right as anyone else to bring accusations forward on sufficient ground and evidence; but it is obvious that no care was taken to investigate this matter, and we do not know now precisely the manner in which those letters were obtained. But what we do know is, that those charges were made carelessly, negligently, and almost criminally, for a purpose which cannot now be concealed. The sole object of making them was for Party purposes; to try and ruin the leaders of an opposing Political Party. The whole proceeding, to my mind, is vitiated, for the reason that it is a Party proceeding taken for a Party purpose. Your Lordships may say what you please in this House; the majority may carry this Resolution to-day; but I maintain that there is nothing judicial about the Report. The House of Commons has placed this Report upon its Journals; but I think it is almost certain that the House of Commons will erase it from its Journals, and this House will then be left in the rather absurd position of having adopted it on the Records of the House, when the other House has got rid of it. Why do I say that, my Lords? I say it because this is a matter in which

political feelings are involved. Not one of us can be unbiased in this matter. We try to be fair; but in a matter of this kind we cannot treat it in a judicial and impartial spirit. I say, therefore, that for a purpose of this kind there never ought to have been such an Inquiry. If there was a question of the honour of Members of either House concerned, or if Mr. Parnell's character were assailed, the House might have inquired into it. If there was a question of libel, the Courts of Law, I agree, were open to Mr. Parnell; but I say under no circumstances ought you to constitute a perfectly novel tribunal—unknown in the history of this country—for the purpose, forsooth, of trying men on a criminal charge. Are we come to this; that a tribunal is to be constituted by a majority of the House against the protests of another Party, which probably represents nearly half the entire nation, specially to try a Political Party for political purposes? For it is no more than that. I cannot say that I feel in the least degree moved by this Report, except in so far as Mr. Parnell and his friends are acquitted of some most disgraceful charges of which, if they had been guilty, they would have been unfit to associate with honourable men, or to remain Members of the Legislature. I have formed my opinion upon all these matters, with which I have been acquainted for many years, and it differs in some respects from the opinion of noble Lords opposite, though I may agree with them in some things. For example, I should entirely agree with them in condemning boycotting; and I should agree that many things have been done by Mr. Parnell and his Party of which I should not approve. But, my Lords, when it comes to this point, that this is to be regarded as a criminal matter in the sense in which we regard criminality, it is another matter. The noble Marquess actually compared the Irish Nationalist Party to the receivers of stolen goods. I will just ask your Lordships to consider how untenable such a statement is—I will not say anything of its injustice. Would you make a receiver of stolen goods a Member of a Committee of the House of Commons, or Chairman of an important Committee? Would you consort with men whom you regarded as criminals in ordinary life, and something more? All these things were known to the noble Lords opposite in 1885, every one of them; there is practically nothing that was not notorious. The Conservative Party found it very convenient in 1885 to have, I will not call it an alliance, because I know that word is objected to, but to act in common with the Irish Party for the purpose of turning us out of office. By a rather singular coincidence—it was nothing more, of course—they did not renew the Coercion Act, as it is called, in that year. By another very singular coincidence, Lord Carnarvon also held his famous conference with Mr. Parnell. Therefore, it is impossible for you to regard those men in the light of criminals, and yet have this kind of communication with them. I do not say it is wrong; all political parties in this country always associate with any set of men if, by a common purpose, they can damage their adversaries; and I do not think the Conservative Party are in the slightest degree more guilty than others in that respect. But I say this, that you cannot consort with men and have communications in common with them; you cannot consult Mr. Parnell as to the best mode of administering the country and incur, as the Conservative Party undoubtedly did, the general supposition that there was some alliance between them and the Irish Nationalist Party, and then turn round upon them and say they are criminals. That is a proposition which I think, however convenient it may be to put it forward in debate, cannot be sustained for a moment. The fact is, my Lords, that we do not regard Mr. Parnell and his associates in the light of criminals, although we may regard them as men who are opposed to the policy and interests of this country, and who have employed means for ends which are condemned by noble Lords opposite, but which, in many cases, must be admitted to be patriotic. Then we are told that they associated themselves with the Fenians. Is that a new discovery? Is there any one who did not know that the Nationalist movement was supported by Fenians? Every one knows that at one time the Fenians were practically the whole Nationalist Party in Ireland. But, by degrees, a considerable number of men, in consequence of the efforts of Mr. Butt in the first instance, and of Mr. Parnell since, have taken to

Parliamentary agitation; but a very large proportion, I am afraid, may still be tainted with the old Fenian leaven. But is it a matter of condemnation of the whole Parliamentary Party of Ireland that they accepted that Fenian support? I think there is nothing whatever to condemn in it provided they acted on legal and Constitutional principles. I see no difference, as a matter of opinion, between their acting with the Fenians for their Parliamentary purposes and the noble Lord and his friends acting for Parliamentary purposes with Mr. Parnell. The two things, to my mind, run in common. My noble Friend was not quite accurate in saying that there was no condemnation of crime on the part of the Irish leaders. The learned Judges no doubt tell us that there are many men connected with the movement who would go further and exceed the lines within which the Irish Parliamentary Party seems to have limited itself. One remark which my noble and learned Friend made was, I think, not very justifiable when he said that there had been no condemnation of crime. I think that in saying that he had really overlooked one of the findings of the Judges, because they state in their 6th finding—

"We find as to the allegation that the respondents did nothing to prevent crime, and expressed no *bonâ fide* disapproval, that some of the respondents, and in particular Mr. Davitt, did express *bonâ fide* disapproval of crime and outrage; but that the respondents did not denounce the system of intimidation which led to crime and outrage, but persisted in it with knowledge of its effect."

Therefore, my noble and learned Friend was not quite correct in saying that there was no condemnation of crime and outrage, because the learned Judges themselves say that some of the respondents, and in particular Mr. Davitt, did denounce crime and outrage. The general statement that crime and outrage arose from the agitation is in one sense true. You cannot have an agitation of that kind without crime. But is it so perfectly certain that the whole agitation was without any justification. I am not so sure of that. The justification, such as it was, arose from the fact that there were a vast number of evictions carried out in Ireland, and large numbers of tenants who were refused reductions of their rents when they ought to have had them. I deliberately say that I now believe, since the action of the Land Courts, that there was a most unjustifiable refusal of reduction of rents to the poor tenants in Ireland. And, after all, it turns out that the reductions of rent which have been made are no more than we have had to make in England without the pressure which has been put upon the Irish landlords. I do not accuse the Irish landlords of being either cruel or inhuman men; but I think they were not aware of the necessity of making reductions largely and timely to their tenants, many of them very small and poor men, and therefore having no capital to fall back upon, as men in a similar position have in this country. I think the landlords were most unwise in not making large and timely reductions. Well, that being so, and there being a widespread distrust existing between tenants and landlords in Ireland, do you think it is extraordinary that there should be agitation to enable the tenants to bring additional pressure to bear upon their landlords? To my mind it seems the most natural thing in the world, though unfortunately it has been followed in many cases by crime and outrage. It has been said that the Judges have found that the Land League have been guilty of crime and intimidation for the purpose of driving out the "English Garrison," as they are called. I think that is rather a rhetorical statement for the Judges to make—the driving out of the "English Garrison." I suppose there was some desire on the part of the tenants and the Land League to drive out the landlords with the view of weakening their influence in that country; but observe this, my Lords, though Mr. Parnell in one of his speeches which appears in this book stated that he desired to put the lands in the hands of the tenants and to remove the landlords, he said that that should be done with compensation; and he said if the landlords can be got out of the country Home Rule will very soon follow. In that was there anything more than what is exactly the policy of Her Majesty's Government? Her Majesty's Government have, I do not say wrongly, but they have been endeavouring to facilitate the passing of the land from the landlords to the tenants; and they imagine—though here I think they are entirely wrong, but

there are many who agree with them—that by doing this they are strengthening the position of affairs politically, and strengthening the hold of England upon Ireland. I believe, as strongly as I believe any political proposition, that the more you can put the land into the hands of the tenants in Ireland the stronger will the Home Rule Party become. It is contrary to reason to suppose that these men, merely because they have ceased to have grievances against their landlord, will cease to exhibit Party feeling. Mr. Parnell has told you that, and that they will continue to act in carrying out a common object although in a different manner. I do not know that I need trouble your Lordships much further. I have referred to most of the points which I wished to refer to, and all I desire to add is merely this, that I think the noble Marquess was scarcely generous to Mr. Parnell and his friends. I see no advantage to be gained, if I may venture to say so, by any Political Party in putting a case against their political opponents too severely. Mr. Parnell and his Party were undoubtedly most cruelly treated in regard to the forged letters, and I think there might well have been some sort of expression of regret on the part of the noble Marquess in regard to that matter. I think we should not endeavour to make too much of the differences between ourselves and the leaders of the Irish Party. Remember, that the men with whom you have to deal are the leaders of four-fifths of the Irish people; and if there is any point on which you can show that you acknowledge the justice of their complaint I think it is good policy to do so. Therefore, I am sorry that the noble Marquess did not express some regret in that regard. My noble and learned Friend said that there was no regret expressed in the Report; but I think he meant no regret on the part of the noble Marquess. I must make this remark, that the Report contains one grievous omission. There are two parties in this case, one party is spoken of very harshly by the Judges, and has been on several questions condemned by them; while the other party—I mean the *Times*—are never spoken of with condemnation throughout the Report, or submitted to the censure which I think they deserve. I do not want to accuse the Judges of want of impartiality—that would be unfair; but it is to be lamented that they did not think it within their duty to mete out their condemnation on those who had brought charges which proved to be so unfounded. My Lords, the Report will, of course, be placed on the Journals of this House, and when it has been placed there I confess it seems to me that the political situation as regards Ireland will not be advanced one inch; that we shall be simply where we were as regards our differences; and that the only result that can come from this Report is that Mr. Parnell has been absolved from the charges made against him upon these forged letters; and that a very large number of people in this country think he has been exceedingly ill-used, and they will visit upon the Party opposite the consequences of the whole of this proceeding.

*THE EARL OF CAMPERDOWN: My Lords, I was very anxious when I came to the House to-night to hear the reasons which would be given for either taking no step at all or for taking a partial step with regard to the Report which has been presented by the Special Commissioners to the House. When the Report was presented, it was regarded by Mr. Parnell and his friends as a triumph for them. That was the statement of their organ, and I apprehend, therefore, that they, at all events, regarded the Report with no want of favour. There were others, however, who, on the other hand, although the Report stated that Mr. Parnell was not guilty on certain personal charges which had been brought against him, yet nevertheless considered that the charges made against the Parnellites as a party were in substance made out; and they also, I apprehend, see no reason why the Report should not be acted upon. Before I go any further, I must say this, with regard to Mr. Parnell and these personal charges, that I am glad he has had the opportunity of clearing himself from them, and I I am glad that he has cleared himself from them. But, at the same time, I regret that he did not take the opportunity, which was as open to him as I believe it would be for adoption by any one of us here if we were libelled, of appealing to the ordinary Courts of Law;

for I must confess I cannot think so badly of our Court of Law as the noble and learned Lord Herschell appears to do, when he says that if a man appears before a Court of Law declaring that he has been libelled, and if at the same time the accuser were to refuse to produce any proof in support of the alleged libel—I cannot imagine that our Courts of Law are so utterly unfair as to say that they would proceed to find him guilty simply on the evidence of experts. But, my Lords, I wish to refer to the Report of the Commissioners themselves upon this matter, and I wish to point out that no exception can be taken with regard to their course of procedure. We have heard references made to their impartiality, but the course of procedure which they adopted was in itself, I think, distinctly in favour of Mr. Parnell. My Lords, I say it on their own authority they did not act as Commissioners would have done; they acted throughout as Judges. They felt very keenly and strongly the sense of responsibility. They knew they had the Bar and the Bench behind them, and your Lordships will see the trace of that in their course of procedure from the very beginning to the very end of what they did. I will now quote their own words. They say—

"If we had taken Royal Commissions of Inquiry as our guide, it would have been necessary for us, ourselves, to have found the witnesses to be called, and for this purpose we must have employed agents to see them and take their proofs in order that we might have the materials for their examination by us. Amongst several objections to this course one appeared to us conclusive, namely, that we should have seemed to be taking upon ourselves the functions of a prosecutor, with which the duties of a Judge are scarcely consistent."

Then it goes on—

"From the constitution of the Commission, the powers conferred upon it, and the character of the charges made, we considered that it was fitting that we should conduct the inquiry judicially and according to the law of evidence and procedure prevailing in the ordinary Courts of justice,"

and so on. I should be the last to complain of the course which the Commissioners decided to adopt, and I think they did quite right in adopting the course which to them seemed best. I wish to point out that the course thus taken was distinctly the best which could have been taken in favour of Mr. Parnell and his friends, because the Judges called upon the *Times* to substantiate their charges; they converted the whole procedure into a strict trial, and any charge which was not absolutely proved by the *Times* they found to be "not proven." We were told to-night that it was unusual to thank Judges for their impartiality. Yes, my Lords, it is very unusual; but we also heard, both in the other House of Parliament and in this House—though they were whispered more quietly in this House—attacks made upon the Judges, and we heard one Judge even attacked by name. Therefore, when the Report is presented, it does seem to me that it is necessary we should thank the Judges for the impartiality which they have undoubtedly displayed throughout these proceedings. My Lords, the question was, as the Judges say, whether the respondents, or any of them, had been guilty of the charges alleged against them. That was the question which was tried; that was the question which they reported upon; that is the question with which we have got to deal to-night. Now, my Lords, as I said, I was anxious when I came to the House to hear what reasons would be given for not acting upon this Report. The noble and learned Lord Herschell has given us several reasons for his objection: His first reason is that he objects to the tribunal altogether. That is a reason with which we have not to deal to-night; it was dealt with when the Bill appointing the Special Commission was before Parliament. His next reason is that the Judges had prepossessions upon this question, and that he objects to their politics. I must confess that I do not think so meanly of the Bench as my noble and learned Friend appears to do. I can only say that so far as he himself is concerned, there is no man before whom I would prefer to have any question tried in which I might be concerned than himself, whether the matter were a political one or not. He condemns the Report as a whole, because he says it is incomplete, inadequate, and fails to meet the case. I do not think your Lordships want me to enter into that at length, because it has been dealt with so very ably by the noble and learned Lord who followed Lord Herschell; but I am bound to say this, that Lord Herschell, who condemns this

Report, did not hear one word of the evidence. He was not sitting upon the case, and the course he has taken is to set up his own opinion upon such information as may be gathered from a cursory reading of the evidence. He says he has based his opinion upon the information he obtained from reading the evidence, and he sets up the opinion he has thus formed against the opinions of that learned Judge, Sir James Hannen, and the other two learned Judges, who heard the case from the beginning to the end. There one remark only to which I think it necessary to allude, and that is in reference to what he said with regard to the Clan-na-Gael. He asked, "What evidence have you with regard to their connection with the Clan-na-Gael, and that as to its having seized the Nationalist America at the Convention of Party in Chicago?" He said it rested entirely on the evidence of Le Caron. Well, did not they try to break down the evidence of Le Caron, and how did they succeed? If, as the noble and learned Lord maintains, the Clan-na-Gael did not obtain the mastery of the Convention at Chicago, would it not have been easy for Mr. Parnell and his party to have produced satisfactory evidence upon that point? But the position of the learned Judges was this: that clear and strong evidence was given before them to that effect, and it was not shaken; and though my noble Friend expresses a strong opinion to the contrary—founded upon what evidence or knowledge I do not know—yet there are many Americans, skilled in American politics, who well know the truth, and who tell a very different story. A letter in the *Times* a few days ago from one of them fully bears that out. Well, my Lords, so much for the reasons which Lord Herschell has given to-night for his objections. But this Report has been attacked by Lord Kimberley, on a very different ground. He says his reason for distrusting it is that the Judges did not know the political history of Ireland, and did not know enough of the circumstances of the case to enable them to form an opinion upon the matter. May I ask your Lordships what in the world the political history of Ireland has got to do with these charges? The question is whether certain men made particular speeches and followed a certain line of conduct which tended to crime, which incited to crime, and which resulted in crime. What has that question to do with the history of Ireland? Why, that very point was dealt with by Sir Charles Russell in the case. He made a long speech on the history of Ireland, which fell perfectly flat, as it necessarily would do, on the ears of the Judges. He made a summary of charges, and again just see what the Judges did with his summary. They listened to him because they were appointed as Commissioners, but if they have been sitting as Judges they would not have done so; and having listened to it, they passed it by because it was not to the point. The same line of argument which was taken by Lord Kimberley was taken in the House of Commons by Mr. Gladstone when he said—

> "It is hard to maintain that a judgment has been passed on the whole Irish case by a body of men who were precluded from looking at many of the most important topics bearing upon it."

What have we to do with the whole Irish case? We are not discussing that now. What are the motives or merits of the men who did these acts is not the question—the question is, did they do the acts; did they make the speeches; did they adopt a line of conduct which led to crime? Those were the points which were before the Commissioners. They have never pretended to deal, and it was no part of their business to deal, with the general facts of the Irish case. Now, my Lords, I would just say in connection with this matter that my noble Friend who sits below me (Earl Spencer) has been making a speech lately, since the Report of the Commission was issued, to which I wish to call his attention. What I desire to do is to call his attention to the general lines of argument, and I will read very shortly with regard to the line of argument from the second part of the Report of the Commission, in which certain charges are found true as against Mr. Parnell and his friends. He said, in referring to the other part of the Commissioners' Report—

> "I will say at once that there are very grave matters to be found charged against the Irish Party in that part of the Report."

My noble Friend will understand that I am not reading the whole speech, but that I am simply referring to the line of

argument which is there indicated. The noble Earl proceeded—

"I never have shrunk from denouncing many of the actions of individuals connected with the Land League. I have very often had to fight against the Land League or its branches in different parts of the country, for the purpose of preventing the incitement to crime which I feared sometimes would be the consequence of meetings in parts of the country which were very much disturbed. I never hesitated when I was in Ireland, and I have never hesitated since, to express my abhorrence of intimidation, boycotting, and the like. I dislike it extremely, and I have always disliked it extremely. And I will admit that in some parts of the Report there are things against the Irish Members and against the Irish leaders which are anything but satisfactory. Perhaps one or two small facts have been brought to light which were not known before—something in regard to the *Irishman* newspaper, and something that was paid to a man who was injured during a moonlighting raid—but I maintain positively, in regard to all the rest, everything was known before, both to Liberals and to Conservatives. I should like to know, if we are blamed for having entered into an alliance with the Parnellites and Mr. Parnell's followers, are not the Conservatives to blame also for having entered into an alliance with them in 1885? You will all remember Lord Carnarvon seeing Mr. Parnell secretly in London. He did it, I believe, with the sanction and knowledge of Lord Salisbury, the Prime Minister. I do not blame Lord Carnarvon for this, though I do think it rather imprudent, unless he was prepared to follow it up by acting on what Mr. Parnell said. But, if we are to blame for having ourselves been in alliance with the Irish to carry Home Rule, why are not Lord Salisbury and Lord Carnarvon to blame for entering into an alliance with Mr. Parnell? Are not the Conservatives even now to blame, and are they not much in the same position that we are, when they are proposing to give local government to Ireland? Who will manage local affairs in Ireland but this very party? We are not the only people who can be blamed, if blame is to be attached, because an alliance is made between one party and the Irish Members. Now, with regard to many of these charges, I have said there is nothing new whatever. We always knew that Mr. Davitt had been a Fenian and convicted of being a Fenian. But we know this—that Mr. Davitt is no longer a Fenian, that he has been won over from the cause of armed revolution in Ireland, to Constitutional action within the last few years. We knew that Mr. Parnell had advocated boycotting, we knew that many bad papers and bad articles were circulated in Ireland. I, for one, certainly knew that. And I always deplored these things But how have I always thought it right to look upon these matters? There are two questions that ought to be answered. Have the Irish any real grievance to be redressed? Is the remedy that you are applying likely to deal radically and certainly and for all time with the political and social grievances that exist in Ireland? I believe that no one will deny that the Irish have had very serious and great grievances. No one will deny that in regard to land they have been grievously oppressed. We have introduced measures in regard to the Land Laws in Ireland, and the result of these measures has been to show that Irish tenants were grievously wronged in the way of rents. Their rents were excessive and the improvements almost always belonging to the tenants in Ireland were confiscated by the landlords. The Irish had very serious grievances in regard to land, and they have a very serious grievance in regard to government. And I say they had then just cause for wishing to overcome these sad grievances. No one will deny that they had a right to combine and form societies for the purpose of getting redress for the high rents in Ireland. No one will, I think, deny that; and though in strict law they have technically been doing what is illegal, I think everybody will say that tenants suffering under unjust rents in Ireland are just as much justified in combining against them as those in trade are in combining against unjust wages. That, I believe, will be universally admitted. I do not say for a moment that the Land League and the National League have always carried out their agitation in a legitimate way. They may have gone too far and followed illegal paths; I deplore that. I always have deplored it; but I maintain that they had some justification for it in the serious grievances which existed, not only in regard to Land Laws in Ireland, but also in regard to government in that country. It is not for us, therefore, to criticise too minutely the methods which have been followed, though we may deplore some of the results that followed their action. Now, I should like to say this—that we must always remember that during the last few years we have been going through what is tantamount to a revolution in Ireland. Let us compare that revolution with other revolutions, and I will venture to say that you will find in every revolution, even in those revolutions which are now justified by all, that they have been accompanied with some excesses. I do not think it is wholly fair to attribute to the leaders of a Constitutional agitation all the excesses that have followed from the course that they have adopted. When an agitation is going on there are numbers of men who join that agitation for their own purposes. The leaders cannot be responsible for every foolish speech and for every foolish action these men may speak and do, nor for the crimes which occasionally follow agitation. I know that a very heavy responsibility falls upon those who lead an agitation as in Ireland, but, at the same time, I think it would be most unfair to attribute blame to and hold responsible for the serious crimes that have taken place in Ireland the leaders of an agitation which certainly in its inception was a perfectly Constitutional one."

My Lords, I wish to make one or two remarks with regard to that speech. In the first place, the noble Lords tells us that these things which have come out against the Irish leaders, and which

were anything but satisfactory, were all known before, except as to one or two small matters. The point is not whether they were known before, but the fact that they were never proved before and they are not proved now. If any Peer had risen in your Lordships' House before this Commission had reported, and had stated that Mr. Parnell or his friends had made speeches leading up to crime, or that they had connived or assisted in intimidation with a knowledge of its results, immediately he would have been very properly taken to task; but neither the noble Lord on the Front Bench or any other of your Lordships can say that he does not know now exactly what these practices mean. Both here, and to a much larger extent on public platforms in the country, noble Lords have gone about, and they have said that boycotting is exclusive dealing. Let them read the terms of this Report, and they will not be able to say any longer that boycotting is exclusive dealing. An argument of that sort is quite good enough for electors and for public meetings, but that is not an argument which can go down in this House, or in any educated assembly. The noble Lords said in his speech that "The Irish had serious grievances." Yes, my Lords, they had; and had not the Liberal Party, and particularly the noble Lord himself, been attempting to deal with those grievances?—had not they passed Land Act after Land Act, and with what result? That Mr. Parnell and his friends entered upon what my noble Friend has described as a revolution. They did not attempt to work these Acts. It is said that they were moving against unjust rents. That is not what is found. It is found that the League was moving against rents altogether. It was against rent; it was not against unjust rent that that agitation was directed. My noble Friend says they had grievances, and therefore do not let us criticise their methods too minutely. It is said it is very hard to hold these leaders responsible, because in the beginning, at all events, their movement was a Constitutional one. My Lords, that is a doctrine to which I, for one, decline altogether to subscribe I say that if men embark on these courses, if they make speeches to excitable mobs, speeches which they know lead to crime, which by experience they find lead to crime, then I say they are deeply blameworthy, and I say it is not sufficient to stand by and say "We disapprove of all this," but surely some practical method and course ought to be taken to demonstrate that disapproval. "Compare this revolution with other revolutions," says my noble Friend. As soon as you use the word "revolution," just see what you are admitting. Was a revolution justified under the circumstances of the year 1881? Did you not yourselves in that very year pass an Act which dealt in a very large manner with the difficulties of the rent question? And when you say "revolution" remember that you are getting on to very dangerous ground. If you use this word "revolution," it is not open for the leaders to come forward and say at one moment, "Now we are revolutionaries," and say at another moment when it suits them, "Now we are Constitutional leaders." If you once admit that this is a revolution, there are ways of putting down a revolution which are too disagreeable even to be spoken of. Moreover, if it is a revolution that you are engaging in, why is it that the revolutionaries, when they get into prison in consequence of their acts, immediately begin to call out through their friends in Parliament if in any way their convenience is interfered with? Now, my Lords, I am bound to say with regard to this speech, that it is, to my mind, a doctrine most extraordinary to have proceeded from my noble Friend. I ask, by whom were these charges against Mr. Parnell and his friends originally made? Who is so responsible for them I should like to know as Sir William Harcourt and Mr. Gladstone, and their Government? The argument used just now was this, and a very low sort of argument I think it is—the *tu quoque* form of argument. The noble Lord said, "If we had to do with the Parnellites, at any rate the Conservatives had to do with them also." My Lords, the Conservatives have denied it; and quite apart from this, Mr. Parnell himself has denied it in a letter. But I put all that matter aside, because it seems to me that it has nothing to do with the merits of the case. Admitting that it is perfectly true that not merely Lord Carnarvon, but that the Conservatives as a body, con-

spired with Mr. Parnell—or use any other words about it you please—do two blacks make a white? Is there any reason why noble Lords, who, from 1879 to 1881, and right up to the year 1885, passed different Acts, and who told us how ill Mr. Parnell and all his friends were behaving, and who described their conduct in language than which nothing can be stronger, should turn round now upon us and say that it is wrong that such charges as these should be made? What I complain of is this, and we have complained of it in the country and in the House, that when noble Lords deal with actions done by the Irish Members, they ask us to judge them by an entirely new standard; they ask us to set up new canons of criticisms. We know perfectly well that my noble Friend has entirely changed all his ideas with regard to the Irish Question. He has told us so, and he cannot tell us any more. But what I want to ask him is this, because he has changed all his ideas on the Irish Question, has he changed also all his ideas of the moral standard of what is right and what is wrong? I want to know does not a crime remain crime whatever the motives may be of the persons who commit it? It is not whether Mr. Parnell thought it was right to do a certain thing, or that possibly, as was said in another place, although boycotting and such crimes may have been pretty frequent, yet at the same time, it would be found that there had been much less of other crime in consequence. I do not go into considerations of that sort; but what I want to know is this, what difference does it make in a fact or in an act because the person who happens to be concerned in that fact or act happens to be a politician? I do not see, myself—I cannot understand—nobody has attempted to explain it to me, what there is in the nature of a politican which is so subtle, so difficult to understand, that when he does certain acts or has to do with a certain course of conduct, a Judge is absolutely incapable of deciding whether he has done those acts, or whether he has not. There is another thing I should like to say with regard to these charges, the charges I mean which the Judges say are proved against the Irish Members, and that is, that they were proved not so much by witnesses brought by the *Times* newspaper, but they were proved chiefly by the breaking down under cross-examination of the witnesses who were produced by Mr. Parnell and his friends. I can perfectly understand that after their experience they were not at all sorry to retire from the Commission, because witness after witness, including Mr. Parnell himself, including Mr. O'Brien, and others, were forced to make admissions which were utterly damaging to themselves, and which show that, however wrong the *Times* might be—and nobody can condemn the *Times* more strongly than I do for proceeding in a personal matter without more evidence and better evidence than they were able to produce—yet, at the same time, the Irish witnesses themselves proved the case in a manner and to an extent which seemed to leave very little to be desired. They did more than this. The Irish witnesses showed that they would do and would say anything that would suit their purpose. I take Mr. O'Brien. He wrote in *United Ireland* some of the most abominable statements with reference to my noble Friend below me (Earl Spencer) that ever it has been my fortune to read. Here is one of them from *United Ireland* of the 1st August, 1885. Mind you this is no story of 10 years ago. I have heard it stated that these charges were all matters which were 10 years old; but everything went on to 1885, and even up to 1887, exactly as in the year 1881, and the only reason why it was not proved later was that by the consent of counsel on both sides the Judges determined not to proceed further than that date. Mr. O'Brien, in *United Ireland*, of the 1st August, 1885, said—

> "It will not do to ride off upon the evasion that it was the system, and not Earl Spencer who sinned. He directed everything; if juries were packed, if hordes of perjurers were taken into pay, if depositions were suppressed, if French was not handed over to justice before the latest minute of the latest hour, if District Inspector Murphy was persecuted out of the force on dishonest pretences, Earl Spencer's was the guiding mind in the whole abominable drama. The Bruces, the Boltons, the Marwoods, they danced at his good pleasure."

That is the statement made with reference to my noble Friend. Then Mr. O'Brien is questioned upon this before the Commission, and what does he say? He pleaded

before them that it was the system and not Lord Spencer that he was attacking, and he is asked "Did you write that?" He says, "Yes, I rather think I did, as well as I can remember." Then there is another instance in which this very same Mr. O'Brien made equally abominable statements with regard to my noble Friend. In the witness-box on July 26th, 1888, he said—

"We made charges against Lord Spencer which were scandalously false."

That is his own description of himself. Then, my Lords, I come to Mr. Parnell. On the 3rd November, 1885 (your Lordships will remember this is within three or four months of the time when the whole change with regard to the Irish Question took place) Mr. Parnell said with regard to Earl Spencer—

"I believe of Mr. Nally that he is one of the victims to the infamous system which existed in this country during the three years of the Coercion Act. I believe of Patrick Nally that he is a victim of the conspiracy which was formed between Lord Spencer and the informers of their country for the purpose to obtain victims to what they called 'law and justice' by any and every means, whether they were innocent or not."

The comment of the Judges upon that is—

"We cannot suppose that Mr. Parnell really believed in the justice of the accusation which he had made against Lord Spencer."

Now, my Lords, with reference to that matter I will say this: that it appears on the highest authority—on the authority of Mr. Parnell himself—Mr. Parnell is not a credible witness, because he himself stated before the Commission with reference to a given statement that it was quite possible that he was endeavouring to deceive the House of Commons with it. He went home and he found he had not made the statement; he found that the matter had reference to something else, and he came down the next day and pointed that out to the Court. What I should like to know is, was it the custom of Mr. Parnell to deceive the House of Commons? Why was it that the moment he felt himself in a difficulty the first thing that occurred to him was to say that very probably he was trying to deceive the House of Commons? You will find, I think, that on no less than five or six different occasions the Judges say, in such language as Judges can use, that they do give credit to the statements made by Mr. Parnell. Now, my object for mentioning these statements of Mr. O'Brien and Mr. Parnell is because noble Lords now are saying that here are men, who are trustworthy men, persons to whom they are prepared to entrust the management of an Executive Government and a Parliament for Ireland—it is in the hands of these men that the Executive Government and the Parliament of Ireland will be placed, in the first instance, at all events. If those statements are true—and let anybody who can contradict them—I will simply leave it to the judgment of the House whether men of that sort are men whom this country can properly entrust with such great responsibility. My Lords, I have only one further remark to make, and I must apologise for the time during which I have detained your Lordships. With reference to this Report, not merely the individual acts of the Parnellites, but the whole of their conduct—not merely this or that particular fact relating to them, but the whole conduct of the Parnellites over a series of years, is treated in the Report. The Report contains perfectly fair and perfectly impartial statements, both as to what is proved and as to what is not proved. Your Lordships will remember that the Judges made their findings as Judges. They did not eulogise. They did not apologise for any person; they did not make any expression of opinion with regard to any persons in that Report. But what are the arguments which have been used by noble Lords to-night, and which have been used by those who hold the same opinions elsewhere? They do not deny these facts; they admit that the Irish leaders have done many things that are unsatisfactory; they admit that they embarked in courses which have led to crimes; but they say these arguments are not arguments for our receiving and adopting this Report; so far as they are good arguments, they are apologies for the course which the Parnellites have pursued and which apparently, to some limited extent at all events, they themselves approve. What I wish to press upon your Lordships once more is that up to the present time we have heard no good reason whatever (except, indeed, if we are to set up the opinion of Lord

Herschell who has heard none of the evidence against that of the three Judges who have heard the whole of it) why we should not enter this Report upon the Journals of your Lordships' House.

EARL SPENCER: My Lords, I am afraid that the House will regret the continuance of this debate; but I feel that I cannot allow it to conclude without offering some remarks on this highly important subject. I have been in past days officially, and under great responsibility, connected with many of the incidents which have formed the subject of inquiry before the Parnell Commission, and have since spoken on the subject both in this House and elsewhere. I therefore must trouble your Lordships with a few remarks on the subject generally, as well as personally, on some references which have been made personally to me in this matter by the noble Marquess and by the noble Lord who has just sat down. In the first place, I should like to say a few words with regard to the appointment of that Commission. Although the noble and learned Lord (Lord Selborne) has said that it would hardly be proper now to discuss that question, still I think the appointment of the Commission has an important bearing on the view that is taken of the finding of the Commission. The appointment of that Commission followed a variety of events. I believe the main source and origin of that Commission are to be found in those letters, which are called the *fac simile* letters, and which are now proved to be forgeries. If those letters had not been produced, I venture to say there would have been no pamphlet called *Parnellism and Crime*. I am quite aware that some noble Lords, even to-night, tried to throw some doubt upon the importance of the particular letter which was forged in Mr. Parnell's handwriting. The importance of that letter was that it was the main support of the allegations against Mr. Parnell that though he had in some instances denounced crime, he had done so insincerely, and that he practically had sympathy with the Invicibles. Indeed, there was an article which actually stated that he was cognisant beforehand of what was going to happen, and that this was the subject of the famous interview at Willesden Junction. That, I think, shows that these forged letters were of the greatest possible importance, and that but for them we should never have heard of *Parnellism and Crime*, and there would have been no Commission. Of that I feel quite confident. Now, how could these letters have been dealt with? Mr. Parnell might have proceeded under the ordinary tribunals to bring an action against the *Times* for libel; or the matter might have been investigated by the House of Commons as one of privilege. We know that Mr. Parnell, for reasons which have been stated to-night, and, as I think, very just reasons, refused to take the first course; Her Majesty's Government refused to adopt the second; and, having a majority in the other House, the proposal that there should be a Committee of the House of Commons was rejected by that Assembly. Now, what occurred? After the breakdown of the "O'Donnell *v.* Walter" trial, renewed attention was called to the subject, and Mr. Parnell again demanded an inquiry. The Government made the proposal that there should be a Royal Commission. We said at the time, and we say now, that the Government were adopting a very un-Constitutional and dangerous course in proposing a Commission of three Judges to try their political opponents, practically on a criminal charge, and without a jury. That alone was opposed to our Constitutional traditions, by which we always attached the greatest importance to a trial by a jury of men charged with any crime. We said it would lead to considerable Constitutional danger. We said it would place the Judges of the land in a new and exceptional position, and one in which they ought not to be placed. Well, my Lords, I believe we were amply justified in what we said at that time. We believed that the inquiry was such that it could not be dissociated from, or disentangled from, political history and political transactions of the most stirring and exciting times, and that, however much the Judges might desire to be perfectly impartial, it was impossible for them to deal with all these matters without coming within the range of political considerations. Now, we believe that that has been the case. We do not for a moment say that the Commission has not been conducted with the highest dignity and with the greatest patience, and in a spirit of com-

plete impartiality. I should be the first to say that. But the findings of the Commission are so associated with facts of a political kind that they must be mixed up with those political considerations which ought to be altogether banished from the considerations of the Judicial Bench. Now, my Lords, in what position are we placed by this Commission and by the whole of this transaction? The Government have placed themselves in a position of the greatest inconsistency. The Bill which constituted the Commission placed that Commission in the position of one of the tribunals of the High Court of Justice. It received all the privileges and rights belonging to a branch of the High Court of Justice. But it differed in one respect—no appeal was given from its decision, and, as I said before, it enabled that Court to try men for what were practically criminal charges without the assistance of a jury. What are we asked to do now? Your Lordships are now asked practically to form a Court of Appeal from a tribunal which was constituted with equal powers and equal rights to many of the Courts of Justice. We are to adopt a Report of this grave significance on facts connected with the history of Ireland for so many years and with such stirring events, without taking into consideration other matters of a political nature. We are practically acting as a Court of Appeal from the Commissioners ["No, no."] I know that noble Lords differ from me in that respect; but unless we adopt the Report without any comment, I say we are practically acting as a Court of Appeal from the decision of the Commissioners. The Judges themselves very clearly state that. They say—

> "We must leave it for historians to investigate the remote causes of the present condition of Ireland; we must leave it for politicians to discuss and for statesmen to determine in what respects the present laws affecting land in that country are capable of improvement, and we must confine our researches to the question whether the respondents or any of them have been guilty of the things charged and alleged against them; we have no commission to consider whether the conduct of which they are accused can be palliated by the circumstances of the time, or whether it should be condoned in consideration of benefits alleged to have resulted from their actions."

They abstained from that, but are we to abstain from it? We, my Lords, are politicians, and are we to adopt the whole of the views of the Commission, though I admit it is supported by all the weight of very distinguished names, without considering all the circumstances which might palliate the offences which are condemned? I cannot see that it is possible to do that. Now, my Lords, I object to the Motion of the noble Marquess on other grounds. I object to adopt any part of the Report without comment. First of all, I think it extremely unfair and unjust that we in Parliament should record the fact that these National leaders have been accused of the grossest and gravest crimes, without expressing our deep regret that such a serious wrong has been done them. What could be more serious than the charge of the forged letters? I cannot conceive of anything more scandalous. No fair person will say that the *Times* put them forward knowing them to be forged; but what we all say is that there was the most culpable and gross negligence in bringing forward these charges to ruin the character of a leader of a people and to blacken the character of all those connected with him, without making the most careful investigation. Anyone who has had any connection with Ireland must have known how utterly unreliable and untrustworthy Pigott was. He had been offering information to the Government in Ireland for years and years. I mentioned only the other day, but it is worthy perhaps of mention again, that as far back as 1873 he wrote an autograph letter to me when he thought I was away from my ordinary advisers, saying he had information of a political nature, and no doubt asking for money. All at the Castle knew that he was constantly in the habit of trying to sell information, and anybody who had any connection with the *Times*, and any connection with a charge so grave, ought to have had the common prudence to go to those who were bound to know something with regard to Mr. Pigott. I say, my Lords, it is scandalous that a charge of this nature should be made and no reparation whatever should be given to Mr. Parnell. The charge, mind you, was made purposely to influence a vote in Parliament, and in my humble opinion it constitutes one of the grossest breaches of privilege ever committed. Then there

were other charges which were only slightly less gross. They are stated in the opening of the Commission Report. Mr. Parnell and his associates were charged with establishing an organisation called the National Land League of Ireland, which was dependent on a system of intimidation carried out by the most brutal means and resting on the ultimate sanction of murder. What charge could be more serious or more grave than that? I might quote other passages from the Report which merely develop the gravity of these scandalous charges connecting with actual crime the leaders of the Irish people. What happened at the Commission? The Commission has absolutely absolved the Irish leaders from complicity with crime. ["No, no."] If the noble Lord will allow me to continue I will explain what I mean. I do not use the word "crime" in the very general and wide sense in which it was perhaps used by the Commission. But I do use it in the manner in which it is generally understood — namely, as referring to murderous outrages and violence to the person. That charge was repeatedly made in *Parnellism and Crime*; quite independently of anything with regard to intimidation or boycotting. I repeat that with regard to actual complicity with murder and violent crime of the kind of which they were accused the Commission absolutely and entirely acquit them. Now, with regard to that I should like to say a word upon something that fell from my noble and learned Friend Lord Selborne as to an expression of mine in referring to him, I think, at Wolverton. I certainly, when I made that reference, understood him broadly to say that where charges were declared to be not proven the accused ought practically to be treated as innocent. But the noble Earl now says that he only made this remark in connection with one charge. I confess that I still hold the view which I thought my noble Friend held, that it is only fair to regard the accused as innocent unless the charge is actually proved against them. It is exceedingly unfair when these grave charges have been made against a leader and against his Party, and made in Parliament for the purpose of influencing Parliamentary action, that Parliament should not record its regret for the wrong done. Now, my Lords, I come to the other part of the Report. The Report is divided, as it seems to me, chiefly into two parts, the first connected with the personal allegations against the Nationalist Members of complicity with murderous outrages and crime, and the other connected with the organisation of the National League, and its effects upon the country. My noble Friend Lord Camperdown this evening has made a long quotation from a speech of mine. I have no reason to be ashamed of what was quoted. I certainly know that it is a dangerous thing to speak lightly of any crime. I do not wish to condone any crime, whether it is treason or intimidation, or conspiracy to intimidate. I know those are very serious charges. But I think that it is mere pedantry—I might almost say hypocrisy—to put crime of that sort, whether of a political kind or of intimidation like boycotting, on the same level as the crime of murder and murderous outrage. That is what I referred to in the speech which my noble Friend quoted. I do not admit for a moment that because I have changed my political views with regard to Ireland I have changed in the slightest degree my view as to the morality of crime of any sort. I dislike crime now as much as I did when I was in Ireland. The one difference is that I now wish to deal with it and put it down in a different manner. I have denounced boycotting; no one dislikes it or its effects more than I do. I know that when carried to the lengths to which it has been sometimes carried it amounts to the gravest possible tyranny. I should wish to see boycotting banished from Ireland and every part of the Kingdom. But I cannot myself put it on the same level as murder and murderous outrage. And that is why I think we ought to make a distinction between the two parts of the Commissioners' Report. It would be presumption on my part to criticise the Report of the Commission, but I should like just to refer to one or two matters with which they have dealt. The first is with regard to Members of Parliament collectively not being members of a conspiracy to establish the absolute independence of Ireland. We have always known that there was such a thing

as Fenianism, and that Mr. Davitt was convicted of being a member of that body. We all know that that is a very serious offence, and I am not for a moment going to condone it. But what we also know now is that Mr. Davitt has renounced his views in that regard. ["No, no."] Yes, I believe it is absolutely the fact that Mr. Davitt has renounced Fenianism and un-Constitutional methods, and is ready to find redress for the wrongs of Ireland in Constitutional agitation. Noble Lords differ from me; but I think I might appeal to anybody who has read the evidence—of course, I do not pretend to have read every word of it, but I have read a great deal—as to whether you do not find in it ample proof that Mr. Davitt is no longer a rebel in the sense of being a Fenian, but is ready and anxious to support Constitutional means. Then there is the next finding of the Commission, namely, that the respondents did enter into a conspiracy by a system of coercion and intimidation to promote an agrarian agitation. I confess that that finding does, to a certain extent, surprise me. I do not pretend to set my opinion against that of the Commission, but I certainly always believed that the system of intimidation and coercion was not adopted as one of the principles of the Land League. The League dealt with the purchase of land and the lowering of rents, but it was no part of the principles either of the National League or the Land League to adopt intimidation to carry out its ends. I am quite aware that Mr. Parnell advocated boycotting, but I have never seen any evidence that he advocated intimidation to boycott. He advocated what is called exclusive dealing. I am quite aware that members of the Land League carried boycotting a great deal further [*ironical laughter*]—yes, I am ready to admit it. I deplore it and denounce it; I made war against it when I was in Ireland, and I still have the greatest antipathy to it, and wish to see it ended. But what I maintain is this—and I think it is right that we should be perfectly fair and just with regard to this—that intimidation and coercion in the sense used here were not part of the original principles of the Land League.

VISCOUNT CRANBROOK: Why was it suppressed, then?

EARL SPENCER: Some members of the Land League were put in prison under Mr. Forster's Act, but not on account of that, but on account of assuming functions of a very dangerous character. I am the first to denounce many of the actions of the Land League; I never have defended them; but as to its having adopted among its principles actual coercion and intimidation, in its inception, certainly I am at a loss to know where the evidence comes from.

THE LORD CHANCELLOR OF IRELAND: How did Mr. Gladstone come to speak of crime as dogging the footsteps of the League?

EARL SPENCER: I admit that crime did follow in many cases the speeches. I have always denounced intemperate speeches in Ireland, and I have always known that at different times crime followed them; but I do not think it fair or just to lay on the shoulders of the leaders of a great agitation every crime that is committed by men over whom they have not control, or all the foolish speeches which may have led to crime. Now, the noble Marquess challenged me with regard to the evidence of Mr. O'Brien. Mr. O'Brien was one of those who made extremely violent and, I think, unjust speeches. He denounced me and others, and I have never palliated anything he said; I have always denounced it as unfair, unjust, and untrue, and, as far as I know, Sir G. Trevelyan has done the same. I certainly am not going to shield myself at the cost of subordinates. I am responsible for all acts which were committed in Ireland during the time I had the honour to be Her Majesty's Representative in that country. It is possible that in some cases there may have been mistakes. In some cases I know there were charges got up. I remember an occasion in Kerry where a policeman by accident in a kitchen let off his rifle, and, being afraid he should be called over the coals by the authorities, he immediately stated it was a moonlight outrage. That, of course, was punished, and there may have been other cases of the same sort, but I am not aware that habitually the crimes that have been attributed to the subordinates of the Irish Government were committed. They would have been crimes if we had suborned witnesses to give false evidence;

they would have been crimes if we had allowed men to be punished as criminals whom we knew were innocent. I do not separate myself in one degree from the subordinates who were under me. I am responsible for every act committed during my term of office, and I am not aware—with the exception of small cases, such as the one to which I have alluded—that any such gross misconduct took place as is attributed to them by Mr. O'Brien. It is for Mr. O'Brien to explain what he meant; I certainly cannot agree to what he says in the statement referred to by the noble Marquess that "Lord Spencer has found that they, the Irish, were right as to his subordinates." Now, my Lords, I have already said that I do not think it is right that we should adopt the whole Report without comments upon it. I think there is a great distinction between the boycotting and intimidation, and indeed, Fenianism, and the more serious charges of which the Parnellite Members have been acquitted. I do not want to detain your Lordships further, but I should like to repeat that I have not in the slightest degree altered the view I hold with regard to the morality of crime, or boycotting, or intimidation. What I have altered is, the view which I hold as to the means by which we are to get rid of these evils. Now, my Lords, what are these matters in regard to which the Judges find that the Parnellite Organisation has been guilty? They are matters in which they have practically the support of the bulk of the Irish nation. That we may deplore, it is a very serious evil, a very serious malady, but how are we to deal with it? Are we going to deal with it by the old methods which have been tried over and over again? I say the old methods have absolutely failed, and that we must endeavour to get rid of the grievous evils which have been such a disgrace to this country and to Ireland by a complete change of system. We must be generous to the Irish. We shall not be following such a course by adopting the Resolution of the noble Marquess. The only way in which we can effect a radical and complete change and get rid of the difficulties we so much deplore is by adopting the course which will throw the responsibility for the management of their own affairs upon the Irish themselves. I do not propose, I do not wish, to enter into such a subject as the whole subject of Local Government in Ireland to-night, but I thought I was justified in making these observations in consequence of what has been said. I know we shall not be able to effect anything by a Division, but I venture to protest most earnestly against the course which the noble Lord proposes, which I am quite certain will not lead to any satisfactory result in improving the relations between England and Ireland.

*THE EARL OF DERBY: My Lords, I need not assure the noble Earl who has just sat down of the sincere respect with which we listen to any utterance of his. We do not require to be assured from him that he was not the man to throw on any subordinate or any colleague the responsibility which properly devolved upon him. And however we may regret the present political attitude of my noble Friend we do not forget—I, at least, cannot forget—that for several years during which I had the honour of being his colleague he was the most able, the most energetic, and the most successful opponent of that Party which never could injure him by its enmity, but which is now inflicting upon him its sympathy and its praise. My Lords, I cannot altogether admit the fundamental distinction which my noble Friend has drawn between acts of boycotting and acts of outrage and violence. I quite admit that they do not stand on the same level; but if outrage and crime were not behind how would boycotting be effective? We all know boycotting is enforced in the last resort by the bludgeon and the blunderbuss. It would not last a week if it were not. If every man were secure from personal violence, and knew that he was so secure, the whole system of boycotting would collapse in a week. My Lords, I shall not trouble the House at any length for various reasons. In the first place, between the debates which have taken place in the other House and the innumerable discussions in the Press and at public meetings, and what has been said in this House to-night, I think we must conclude that the subject has been pretty well threshed out. In the next place, the Resolution which we are asked to pass, as I understand it, does not require of us more than a general recognition and approval of the fairness of the inquiry which has taken place and

a general acceptance of the conclusions which it points to. We record the findings of competent persons. We do not undertake to re-try the case—in point of fact, we could not do it. It is not our business, and before we did it we must have read through the 10 or 11 large volumes of evidence, and even then we should not be able to judge of its value half as well as those Judges who saw and heard the witnesses, and who could observe their manner and demeanour. My noble and learned Friend Lord Herschell objects to the use of the term "adopt" as being unknown in Parliamentary usage. I take it to be only an expression of acceptance of the general conclusions arrived at. My noble and learned Friend states two reasons why we should not express that view. In the first place, he said (although of course in the most courteous language) that we are necessarily a partial and a prejudiced tribunal. No doubt everyone connected with land and everyone who has anything to lose must have some prejudices against the proceedings of the Land League; but, as a matter of fact, I believe comparatively few of your Lordships are connected with Irish land or have Irish property, and in this connection it is not unimportant to remember that 10 years ago your Lordships gave a signal example of your freedom from class or proprietary prejudice by passing an Act which undoubtedly did more than anything that has ever been done, so far as I know, in any European country for the benefit of the tenant, and certainly in some degree at the expense of the landlords. Then, my noble Friend made another observation, which is certainly more to the purpose. He said, "How can you adopt the Report without reading the evidence upon which it was based?" I could not help thinking that there was something in that, but the noble and learned Lord went on to spoil his own case by saying that there was a tribunal of appeal, and that was the public. Well, if we are not qualified to express an opinion because we have not read the evidence, I should like to know how many members of the general public are likely to be in a better position than we are. For my part, I do not profess to have read more than the Report; and what has impressed me most strongly in that Report is the singular caution, the obvious fairness, the uniform moderation of language with which the facts are presented. It is a common remark that the statement of evidence contained in the earlier part of the volume is, in the minds of those who read it, far more damaging to the persons accused than the conclusions actually drawn by the Judges, and you cannot have a more striking testimony to the judicial caution which has marked the whole proceeding. My Lords, the complaint has often been made—it was made out of doors and it was made in the other House—that this inquiry has been—in the words used—an inquiry before an un-Constitutional tribunal. Now, let us see how much truth there is in that charge. The Irish Members themselves demanded an inquiry. That is admitted. They certainly were not in a hurry. They required a good many hints before they determined to adopt that line. But they did adopt it. Well, if an inquiry was to take place, before what kind of tribunal could it come? There were, so far as I know, only three possible alternatives. There was the alternative of a trial in the ordinary manner in a Court of Law—the simplest, the most natural, the most obvious. Mr. Parnell and his friends would not have that. They talked about the inevitable prejudices of an English jury. They were reminded that, as I believe is the case, they had the choice of a Scotch or Irish jury.

LORD HERSCHELL: It was decided that they had not.

*THE EARL OF DERBY: I will not dispute a matter of law with my noble and learned Friend, but I only know that at a later stage they seemed to stultify their own plea, because Mr. Parnell actually did bring an action for libel in a Scottish Court of Law.

LORD HERSCHELL: It was dismissed (unless I am altogether mistaken) on the ground that he could not maintain it there.

THE MARQUESS OF SALISBURY: An action was brought in Ireland.

LORD HERSCHELL: I am speaking of Scotland.

THE LORD CHANCELLOR OF IRELAND: It has not been finally dismissed.

*THE EARL OF DERBY: At any rate, the case has not been tested.

LORD HERSCHELL: Objection was taken by the *Times* newspaper that there was no jurisdiction in the Scottish Courts, and it was so held, unless I am very much mistaken.

*THE EARL OF DERBY: I certainly will not dispute a legal point with my noble and learned Friend, but when I am told that it would have been madness for Mr. Parnell to bring his action before an English jury because there were sure to be some of his political opponents on it, I do not say that there was nothing in that objection, but it struck me that it completely knocked on the head the substitute-tribunal which he himself proposed. Mr. Parnell and his friends asked for a Committee of the House of Commons. No doubt that would have been strictly regular and Constitutional. But I think we all know also that it would have been absolutely ineffective. I will not suggest that that may have been its recommendation, but, at any rate, that would have been the effect. What Committee of the House of Commons would have been able to sit continuously as the Commission sat, and take that mass of evidence? Time would have failed them for one thing. Then how could a body of 15 or 20 gentlemen, all of them politicians, not accustomed to judicial investigation, not having any professional guidance, and all on an equal footing, have carried on the necessary examination? What would they have made of it? And, setting that consideration aside, of what value would their Report have been? We know well enough how it would have gone. We could not exclude from the Committee hot and eager partisans of Home Rule. Their exclusion would have been called unjust, and reasonably so. But if they were included, what chance would there have been of an unanimous Report, and would it not practically be a certainty that the Report would have gone upon Party lines. It seems to me that if this case was to be really inquired into in a satisfactory manner, the tribunal must have three qualifications—ample time, judicial habits, and absolute impartiality. Not one of those requisites would be found in a Parliamentary Committee. All of them are to be found in the Judges, and I scarcely know where else they could be looked for. That, to my mind, is the simple justification of the course adopted by the Government. They had to choose a method of investigation, and they chose that which was at once the most efficient, the fairest, and that most likely to command popular respect. Then my noble and learned Friend objects that it was a tribunal of which the members were selected by the Government. Selected by the Government they certainly were, but they were selected from among the Judges; that is to say, they were selected from among men excluded by their profession from all active interest in politics, from men trained by all the habits of their lives to exclude whatever of bias they might feel carefully and completely from their investigation of the facts. And then, to make the matter better, my noble and learned Friend suggests a partial remedy which I think most of us would agree would have been worse than the disease. He says, if you were to have a tribunal of that sort, at least you ought to have taken care that the Judges were men of different politics. Well, if you want to emphasise that political difference which, as I suppose it is our object to ignore, that would be exactly the way to do it. With two Judges on one side and one on the other, the two would be expected to decide one way, and the third to decide in another way and the value of their decision would be destroyed beforehand. As a matter of fact, I must say that it has struck me that the method of judicial investigation pursued has been singularly favourable to the respondents. I do not think a Committee admitting many things which are not legal evidence and carrying on its inquiry in a wider and freer manner, could possibly have been favourable to them as a tribunal governed by well-recognised legal rules, and bound to treat every man as innocent until he is absolutely proved to be guilty. Then I have heard the objection—though I do not think it has been dwelt upon here to-night—that a trial by Judges only without a jury, is not a Constitutional proceeding. Now, that seems to me to rest on a misunderstanding. No doubt, if this were a criminal trial—a trial at all, in the ordinary sense of the word—there might be something to say in defence of that proposition; but as no sentence was to be pronounced, and no penalty was to follow, except as a possible result of

ulterior proceedings elsewhere, I do not see how the analogy of a trial applies. If as a result of this inquiry it had been determined to expel any Members from the House of Commons, the House itself must have decided that question; if it had been determined to proceed against any one before the ordinary tribunals, they would have had, like everybody else, the advantage of a jury. All that the Commission could in any case have done would have been to certify that there was a *primâ facie* case for action against somebody. And I do not see why the Judges should be incompetent to perform such a function as that. My Lords, there is no doubt more weight in the objection which we have often heard that it is undesirable that Judges should be mixed up in any political matter. [Lord ROSEBERY: Hear, hear.] Very good—an excellent rule, only let me observe it is a rule which you never have acted upon, and which you never can act upon. Has my noble Friend never heard of political trials? Do not Judges continually try cases of riot or assault, or of violence or libel, in which political feeling is strong on both sides? And how about Election Petitions? Why, for 20 years the trial of Election Petitions has been put into the hands of the Judges. Many persons thought at the time that the experiment was a bold one; it certainly was a novel one; but I think we all agree now that it has answered, and I have never heard that anybody proposes to take away that jurisdiction. Now, what is there in this case half so compromising to the impartiality of Judges as there is in the trial whether some recent election which has been sharply contested is to be held valid or not? The noble Earl (Kimberley) told us that another Parliament would erase the Report of these proceedings from the Journals of the House of Commons, and that we should be in consequence in a foolish position. Well, if they do that, I think somebody will be in a foolish position, but I do not think it will be we. Such a proceeding would, no doubt, prove that there was a great deal of political feeling concerned in the case, but it would not show that that political feeling had been on the part of the Judges. What it would show would be that the majority at the time found the votes of the Parnellites so important that in order to obtain them it was ready to insult the judicial body. Then my noble and learned Friend Lord Herschell complained, and I think the noble Earl who spoke last followed him in his complaint, that no reparation has been made to that much injured gentleman Mr Parnell. I answer, the Report is there which clears him. He hardly needed clearing, because the moment the forgery of the letters was discovered, that part of the case broke down, and it would be absurd to say that as the result of that proceeding he has been the sufferer. My noble Friend and everybody else know that the incident has turned in a very marked manner to his political advantage, and though I do not sympathise with him, I admit that it is an advantage to the benefit of which he is entitled. Some comments have been made as to the alleged impropriety of paying a compliment to the Judges on their freedom from bias. It was argued, I think, by my noble and learned Friend that a Judge is professionally bound and assumed to be impartial, and that therefore to praise him for being so is an insult rather than a compliment. Well, no doubt Judges are expected to show impartiality, just as soldiers are expected to show courage; but we do not on that account feel ourselves restrained from paying due tribute to the courage of our soldiers and sailors whenever there is occasion for its display, and I cannot see why we should be more fastidious in this instance. We have not forgotten, I think (I have not), the constant attempts that were made 18 months ago at the time when the Commission was appointed to discredit its Report in advance. Now the policy is changed, and instead of hearing anything about a packed and prejudiced tribunal, we have the claim put forward that the trial has ended in a triumphant acquittal. Well, but a very odd thing has happened, Somehow or other it has happened that the opponents of the parties accused all over the country are circulating the Report of this inquiry by thousands, and I do not understand that the gentlemen who boast of their triumphant acquittal have taken any trouble to circulate it at all. All I observe upon that is that it shows, if their view is correct, a remarkable blindness on both sides to their true interests and

to the real state of the case. But, my Lords, is this acquittal so triumphant after all? I see immense stress laid on the fact that certain charges, as we all know, broke down completely. Very good; so much the better for the respondents. But how does that affect the entirely distinct and separate charges which have not broken down? Take the case of an ordinary proceeding in a Court of Justice. If a man were shown to have broken into a house, would it be any defence or any excuse to point out that on another occasion he had been put on his trial for murder and that it had turned out a case of mistaken identity? Judge and jury would say, "What has that to do with the case?" The most absolute innocence on one charge does not lessen the weight of another. A man keeps suspicious company, and he is on one occasion unjustly suspected. Is that any reason why he should go free where he is shown to have committed an offence? I do not much care to deal with objections that have not been raised here, but I have seen it not unfrequently said that there is something absurd in recording the fact that a public man, a leader of a Party, and his associates have done something which they ought not, if you do not propose to follow up the sentence by imposing a penalty. My Lords, there are only two possible penalties—trial by a Court of Law and expulsion from the House of which they are Members. The latter is an alternative which it would scarcely be decorous to discuss here. I doubt, as a matter of fact, whether, to an Irish Member, certain to be backed up by his constituency, expulsion would be any real penalty; and as to the other method, though intimidation and criminal conspiracy are offences against the law, they are hardly offences that could be visited with punishment years after their commission, especially when the guilt has been shared among so large a number of persons. I have heard a criticism on the Report this evening, which, if it had not been made by the noble Earl (Kimberley) I should have ventured to call somewhat irrelevant. The Report, it is said, has brought out nothing new. Well, why should it? The object of these proceedings was not to gratify the public taste for novelty, but to verify facts. We know now how matters stand. We know what has been proved, what disproved, and what left uncertain; and surely, if the public, which is the ultimate tribunal, is to form a judgment on these proceedings, that is a not inconsiderable gain to all the world. And when it is objected that no penalty follows on the sentence, I answer that the object was not to impose penalties, but to clear up doubt and enlighten opinion. My Lords, I have no such wild hope as that the judgment of any tribunal will influence Irish constituencies. I believe (I am sorry to say it) that if any of these gentlemen whose conduct has been questioned had been found directly and flagrantly guilty of participation in criminal acts, those acts being committed in the interests of the Land League or the National League (for they are really one), the fact that they have been so found guilty would make them no less but rather more popular among their Irish supporters. In England I trust it is otherwise, and I may, and do hope, that this calm, judicial, impartial deliverance will have its effect upon the judgments of English voters and of those who influence them by speech or writing. My Lords, I said that the result of the inquiry could not be reasonably described as an acquittal. What is that result? I take the findings of the Commissioners as they are given, only omitting those on which the parties accused are either acquitted or the charge is found not proved. The first finding is—

"That the respondent Members of Parliament collectively were not members of a conspiracy having for its object to establish the absolute independence of Ireland, but we find that some of them, together with Mr. Davitt, established and joined in the Land League organisation with the intention by its means to bring about the absolute independence of Ireland as a separate nation. The names of those respondents are set out on a previous page."

Now I look for the names included in that charge. They are numerous. They do not include Mr. Parnell, but, besides that of Davitt and that of Mr. Harris, whose remarkable speech about the value of landlords' lives some time ago attracted a good deal of attention, I find that Mr. Dillon and Mr. O'Brien, two of the recognised leaders of the Irish Parliamentary Party, are included in that finding. Then comes No. 2—

"That the respondent did enter into a conspiracy by a system of coercion and intimida-

tion to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords who were styled the 'English Garrison.'"

I dare say most of your Lordships who have read this Report will have observed that the detailed statement in the Report is infinitely more severe than the measured words of the summing-up. On page 54, referring to this same speech, the Commissioners say—

"In our judgment the leaders of the Land League who combined together to carry out the system of boycotting were guilty of a criminal conspiracy, one of the objects of which was (as stated in the second charge) by a system of coercion and intimidation to promote an agrarian agitation against the payment of agricultural rents for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled the 'English Garrison.'"

That charge is said to be proved against a number of men, and in the list the name of Mr. Parnell stands first, and I observe that the list includes most of the notable personages in the Irish Party. Then finding No. 4 is brief. It simply states—

"That the respondents did disseminate the *Irish World* and other newspapers tending to incite to sedition and the commission of other crime."

Then come the two findings which, to me at least, seem to be by far the most important of all—

"V. We find that the respondents did not directly incite persons to the commission of crime other than intimidation, but that they did incite to intimidation, and that the consequence of that incitement was that crime and outrage were committed by the persons incited. We find that it has not been proved that the respondents made payments for the purpose of inciting persons to commit crime.

VI. We find as to the allegation that the respondents did nothing to prevent crime, and expressed no *bonâ fide* disapproval; that some of the respondents, and in particular Mr. Davitt, did express *bonâ fide* disapproval of crime and outrage, but that the respondents did not denounce the system of intimidation which led to crime and outrage, but persisted in it with knowledge of its effect."

My Lords, it seems to me that the whole charge really lies in that. I lay stress upon it, because it seems to me that there is the widest possible distinction between an isolated instance of incitement to intimidate and a long-continued system of speaking in that sense. Any vehement speaker might fall into the error on some one occasion of using language which incited to crime, without deliberately intending it, and without being guilty of more than imprudence. But when speech after speech is made, and murder follows as a consequence, and the speaker must know that it will follow, is the moral difference very wide between the man who does the act and the agitator who incites him to it? I lay no great stress on the seventh finding, for there is nothing criminal in paying for the defence of an accused person, or for the support of his family. But I cannot treat with equal lightness the eighth finding, which is—

"We find as to the allegation that the respondents made payments to compensate persons who had been injured in the commission of crime, that they did make such payments."

Now, what does that mean? A man attempts to commit a murder, or a violent and dangerous assault. He is himself wounded or injured, and the cautious sympathiser, who would not openly push him on to the act, is ready to do what he can to relieve him from its unpleasant consequence when done. If I have an enemy, and if somebody—though entirely without my knowledge or concurrence—endeavours to murder that enemy, and is himself badly hurt in the attempt, and if then I send the man who intended to be a murderer money and help, and provide for his family, and ostentatiously show the interest I take in him, I ask how does that conduct—I do not say legally, but morally—fall short of complicity with murder? I know what will or what may be said on that point—that the payments proved to have been made were few and small. Yes, the "payments proved," but were there no others? Is there not every reason to believe that for one case we know of there are many which remained unknown? And if the suspicion that there were other such cases unknown to us be unfounded, who is responsible for its existence? What has become of the League books? It is said they have been lost by accident. If so, it was a lucky accident. Then comes the last charge, which, though it is grave enough, I am bound to say does not seem to me to carry the guilt as far as some of the others. It is the ninth finding, which your Lordships all remember. It comes to this: that the respondents wanted help from men, whose policy was

undoubtedly a policy of murder and outrage, and they took that help without saying one word of disapproval of what their allies were doing, and what they perfectly well knew their allies must be doing. My noble Friend Earl Spencer says that it is not fair to hold leaders responsible for all the acts of followers, whom they cannot effectively control. Perhaps not; but I think that if the acts are done in the interest and for the advantage of those leaders, though entirely without their participation, and if they say not one word to disavow or denounce what is so done for their advantage, they are to a certain extent morally participant in the guilt of those acts. Now, my Lords, what comes of these findings? You have a system of coercion and intimidation proved against the respondents; you have it proved that newspapers were circulated by them tending to incite to the commission of crime; you have it proved that the accused incited to intimidation, and that in consequence crime and outrage followed; you have it proved that when that natural and inevitable result followed they presisted in the system of intimidation with full knowledge of its effects; you have it proved that men were compensated by the respondents for injuries sustained in the commission of crime; you have it proved that they condoned the action of the Physical Force Party in America by carefully abstaining from any repudiation of their deeds, because they wanted and got help from them. My Lords, I see it is said that the Commissioners have of necessity been compelled to leave out of sight those political considertions which palliate acts of crime. That seems to me a strange argument to use in an English Parliament. We are asked to excuse, to condone, at any rate to treat with exceptional tolerance and lenity acts which anywhere else, under any other circumstances, would be infamous. Why? Because they are inspired by a bitter, secular, persistent hatred of England, and of the class which represents England. My Lords, I think I may leave that defence to your judgment and to that of the public. Then it is said, before you judge these men harshly, think what a detestable system they were living under, what provocation they had, and how unable they were to remedy their grievances by gentle means. My answer is that that plea is historically inaccurate. Why, nearly all this outrage, all this intimidation, all this violence is subsequent to the Land Act of 1881. That is to say, the land grievance was remedied already, as far as legislation could remedy it. Parliament had conceded to the tenants more than ever was conceded to a tenantry before. They had had the most convincing proof that we were ready to listen to their complaints. And that is the state of things which we are now told was so intolerable as to excuse what would otherwise be inexcusable. My Lords, the only excuse available for these acts would be that probably in the minds of those who committed them, they were acts of war—that it was a civil war in disguise. Well, give that plea what validity you choose, it does not seem to be exactly a valid reason for putting political power into the hands of those who are making war upon you. But if it be war it is war of a very cowardly sort, and for my part I own I have more forgiveness, I have more tolerance for the poor ignorant peasant who, at the risk of his own life, takes the life of some other man whom he has been taught to believe his enemy, than I do for the educated and cautious agitator who takes care to run no personal risk, who does not incite to specific acts of crime, because that would be dangerous, but who suggests and hints at a course of proceeding of which he well knows what the consequences must be, and which he does not dare openly to advise. My Lords, I do not wish to trouble you longer, or to draw obvious conclusions from well-known facts, or to expatiate on what you know already. But I wish to say, and I do say, that I believe the appointment of this Commission to have been a wise and judicious act, and that in my judgment it has thrown, and will throw, more light on the true condition of things in Ireland, on the state of feeling and the conditions of life there, than will be at all agreeable to Mr. Parnell and his allies.

THE EARL OF ROSEBERY: My Lords, I need hardly say that it is not of my own free will that I intrude upon you on this occasion. In the first place, I hold a municipal and non-political office which makes me anxious to hold as much aloof as I can from Party politics. In

the next place, nature abhors a vacuum, and so do I. But it is not on my responsibility that I address you. Your Lordships force on us, the small body of Liberals who stand in this House, the painful necessity of taking a part on this occasion. I confess that, so far as I am concerned, I would gladly have seen this subject not touched in this House, for the sake of the vast majority of this House, for the sake of ourselves who are placed in so disadvantageous a position in contending with you, and also for the character of this House, which I cannot think will gain from your action in this matter. With regard to my noble Friend who has just sat down, I have but little to say. I am delighted that he views the Report with so much satisfaction; I am delighted but not surprised, because he only quotes those portions which assist his own argument. I did not observe that in the course of a careful speech he touched at all upon those real charges which have been brought against the Irish Members, and upon which they have been acquitted. If he is satisfied, how much more should we be satisfied who have seen our opinion ratified by every election that has since taken place. Though the noble Marquess is believed, by the indiscretion of some leaky Conservative, yesterday to have expressed profound satisfaction with the result of those appeals to the country, I can assure him, and I can assure the noble Earl that we are amply satisfied with the verdict of the country in that respect. Now, my Lords, I object entirely to this Resolution, but I do not propose to enter, as the noble Earl has done, at very great length into the inception of the tribunal which has tried this case. I will prefer rather to agree with the noble and learned Lord (Lord Selborne) who said that the tribunal was the result of the law of the land, and that we may be satisfied to accept it. I am satisfied to accept it. I did not admire its constitution, but I think perhaps it will shorten matters to-night if we deal entirely with the result of that tribunal. I venture to say that with regard to this Report, the result of that tribunal, if we adopt it—and we shall adopt it, we know—without note or comment, we shall be doing a grave injustice to ourselves, and a still greater injustice to those Irish Members whose conduct is affected. I object to the Resolution both for what it contains and what it omits. What does it contain? It tells us first to thank the Judges for their impartiality and justice. I am not going to labour that point, which has been so often discussed to-day, but I will say briefly that as regards that part of the Resolution I regard it as degrading to the Judges, and that is the net and the sure result of your dragging the judicial Bench by these Judges into the political arena—that you have, so to speak, to refurbish them and deck them up again with their original attributes before you restore them to their judicial functions. Then, passing from that, I ask why we are to adopt this Report as it stands? We are asked to transfer it in a lump to our Journals. I will not dwell on the verbal inaccuracies of the Report. Many of the defendants' names are wrongly given. This seems a trivial matter, but in a legal document it is not a trivial matter. Yet there is nothing in the Resolution that implies that we are not to swallow it whole. Then, again, I should not wish to pick any holes in that stupendous structure of the Report, but I would venture, without imputing any bias whatever to the Judges to point out the extraordinary want of proportion that reigns throughout that Report. Some points are laboured at very great length, but the Judges lay down—I think it will be better perhaps, in order to preserve the Judicial Bench from the arena of Party politics, if we call them "the Commissioners,"—the Commissioners lay down without note or comment, without a word of proof, that the rejection of the Compensation for Disturbance Bill in this House had no effect whatever in the diminution of outrage. I say that that is a proposition which may fairly be maintained; but if it may fairly be maintained, it is one that requires the most ample proof in face of the extraordinary antecedent improbability which attaches to it. Then they follow that up by saying that the Land Bill of 1881 and the Arrears Bill of 1882 had no effect whatever in removing outrage from Ireland. I say again that that requires ample proof—ample proof when you have it on the assurance of Mr. Parnell, who had no object in making the assertion, that from his prison

windows he observed the effect of the Land Bill of 1881, and when he saw the thousands of tenants flocking into the Courts to take advantage of it, he saw what an enormous blow it was at the League of which he was the head. I say then that as a matter of proportion at least it would have been seemly of the Commissioners if they had given us some reason for this very large statement, and I may say that both with regard to the the rejected Bill of 1880, and to the Bills of 1881 and 1882 there is nothing more remarkable in the Commissioners' Report than their extraordinary disdain for all forms of legislative remedy. It almost amounts to a contempt of Parliament—I mean in the strict and not in the juridical sense—because I think of every Act to which they allude they assert most positively that it has had no effect one way or the other in its influence on Ireland. Well, I say upon those points that there is a singular want of proportion. They give us no proof whatever of their allegation; but in order to prove the charge about boycotting, as to which I should venture to say that though it came suddenly on the noble Marquess, it came as a common-place on every other Member of the House, they devote 22 pages to its elaboration, and actually quote a paragraph from the *Irishman*, a paper so obscure that my noble Friend Earl Spencer, in his Government of Ireland, had never heard of its existence—they quote a passage from the *Irishman* twice over in the course of their Report, in order to labour a point against the Irish Members. But that is not the only want of proportion. I say they devote 22 pages to boycotting. They devote nothing in proof of their legislative axioms; but if they devote 22 pages to boycotting, what do they devote to the central question of all—the charge of the forged letters? They dismiss that in four lines. I was exceedingly amused in the course of the speech of the noble Marquess to hear the reference that he made to the use that we are supposed to have made—the dexterous use of these forged letters. He says that our side put them in the forefront of our attack, and that we manipulated them with singular dexterity so as to bring them forward as the forefront and the centre of the whole matter. My Lords, I will tell you who it is who was the originator of this dexterous and clever manœuvre. It was a gentleman of great ability, who once was associated with our Party, but whom we do not regard as a leader, or an associate, or even a friend of ours now—it was Mr. Chamberlain, who, in his speech in the House of Commons, said that the *gravamen* of the whole matter was the forged letters, and so important and so central were they that he greatly doubted, if they were found to be forged, whether anybody would pay any attention to anything else. When we are accused of making use of the forged letters for our own political purposes, I accept the compliment of the noble Marquess to our dexterity—a dexterity which, I venture to say, is superhuman, and absolutely unsuspected by ourselves. Then, my Lords, I take a further objection to this Report. I will not dwell on it, I will only allude to it in passing; but it is one which makes it fundamentally and radically imperfect and useless as a record of this chapter of Irish history. It is that which has been touched on before, and which rests on the admission of the Commissioners themselves, and which, therefore, I suppose will not be disputed by any Party in this House, that they feel themselves debarred from touching on any of those circumstances, whether political or historical, or connected with the circumstances of the time—they feel themselves debarred from touching on any of the transactions which may explain or throw light on the articles with which they have to deal. I say that in all these points, which have been more or less laboured by previous speakers, this Report cannot stand on your Journals without note and without comment as a real and genuine utterance of the public opinion of this country, or even of Judges who had the whole matter before them—it cannot stand as a satisfactory record of the opinion of the country on that transaction at this moment. If you wish to make it complete you can at least do this: you can add to it the 10 or 11 volumes of evidence, to which we are not privileged to have access; those 10 or 11 printed volumes will at least give what does not appear in the Report, a full account of what Mr. Chamberlain called the *gravamen* and centre of the

whole transaction, the Pigott forgeries. But, my Lords, I have a greater objection to urge against this Report than any I have put forward as an objection to its being placed upon your Journals, and that is this: It makes no attempt whatever to discriminate between m ral crime and political offence. That is what really lies at the root of the whole matter. On one side of the House you hear long disquisitions—I will not say on one side of the House; I beg pardon of the noble Lords, because with singular political dexterity they have confined the whole discussion this evening to our own side of the House, but on one side of the question you hear deepening of political offence and absolute ignoring of moral crime. That was the fault I found with the speech of the noble Earl. On the other side you find it stated broadly and fully that the origin of this Commission rests not on political offence, but moral crime. Now, my Lords, I am not going to dwell on the particular charges which have been so carefully entered into by my noble and learned Friend Lord Herschell. It is said that the respondents established a League with the hope of bringing about independence, and that that Land League was joined by certain persons for that purpose. You never can tell for what purpose anybody joins a particular League, but this you can say of the founder of the Land League, that for founding it he was expelled the Councils of the Fenian Organisation, which does not look at any rate as if the Fenian Organisation held the view of the Commissioners that the Land League was a favourable agency for their purposes. Then there are other points—for instance, as to the money given to criminals. My noble Friend said that that rests on only a few isolated instances. He might have limited his remark even more than that—it rests on only one dubious endorsement to a letter, which endorsement was placed on that letter when the leaders of the Land League were in prison. That is the little bone out of which the noble Marquess constructed that enormous monster this evening. But the noble Earl (Lord Derby) and others have said we can have no further evidence because the Land League books have disappeared, and the noble Earl at the same time mentioned that he considered the Land League and the National League as virtually one. If that is so, that cuts away the whole root of his argument, because we had all the books of the National League before the Commissioners. But as regards the Land League it ceased to exist nine years ago. It was hunted and persecuted out of existence; every policeman that you had at your command in Ireland was put on the trail to stamp out the League; and yet you suppose that under those circumstances these persons, who did not wish probably to betray the names of those whom they employed to the rural administration of justice in Ireland, were likely to take away and cherish these precious manuscripts in order that, at the fitting time, if ever Parliament in the fulness of its justice should grant an inquiry into the whole circumstances of Ireland, they should have these priceless manuscripts to place at your proposal. I confess that I cannot see much in that. Nor can I see that the giving of money to persons, whether they be criminals or not, but giving money to persons, to aid them in their defence, has hitherto been considered any particular crime at all. But what I cannot understand about these charges is, why the boycotting, the pernicious literature, this money given to criminals under suspicion of crime—all these various matters—have suddenly come as such a discovery upon the noble Marquess, when they have been well known; they have been printed in newspapers, and many of them, I think, avowed by the defendants themselves. The language of the *Irish World* is said to be violent, but I think there are some flowers of rhetoric even in the columns of the *Times*. Boycotting and the spreading of pernicious literature are imputed to Irish Members, but boycotting and the spread of pernicious literature are not confined to Ireland. You have established this enormous machinery, this unprecedented and this un-Constitutional machinery, to display to your wondering eyes a great many things that were absolutely and perfectly well known to you before. Now, let me take that charge which I think the noble Earl regarded with peculiar abhorrence, the charge of conspiracy to remove landlords

from Ireland. Well, that is a very dangerous conspiracy. But I am sorry to say that I have heard the same language with regard to English and Scotch landlords on English and Scotch platforms. I am sorry to say that the Nationalisation of the Land Party, which frequently appears at current political elections, takes exactly the same view about the removal of English and Scotch landlords as was taken about the removal of Irish landlords by the Irish Party. But the difference is this: What we are allowed to discuss as a political problem in England or Scotland is in Ireland considered a crime. No doubt, this removal of Irish landlords is a most heinous offence. I know my noble and learned Friend the Lord Chancellor of Ireland must consider it an offence of peculiar magnitude. He has brought your Lordships and the other House of Parliament to spend 10 millions of money in the commission of that very heinous offence. The Government of which I was a Member in 1886 proposed to spend a much larger sum in that particular very heinous offence; and the Land League, if I am not greatly mistaken, which is supposed to be the foremost in that heinous offence, was indeed foremost in proposing a scheme at its first foundation, which would have bought the landlords out on much more liberal terms than those upon which the Government are proposing to buy them out now. Then there are speeches which have led to crime. That is a very formidable offence, but I have no notion whatever how it is that the learned Commissioners or any other body of persons have been able to trace the exact relation between speeches and crime. By what instrument, by what test, are you able to follow and appreciate these speeches and discover exactly where it is that they lead to crime? If that is so, I do not quite understand how it is that you propose to measure the utterances of the most eloquent and impulsive race that exists under the sun. I believe an opinion has been given by a great Irish authority. I am not sure that he is not in the House at this moment—to the effect that the reason of the English failure to govern Ireland rests on this, that the English have no sense of humour. I venture to believe that in many cases the Irish must feel that weakness of ours most acutely when they see the very serious spirit in which all their random utterances are taken. But, my Lords, if the speeches of Mr. Parnell and his followers are to be taken as dangerous and disloyal, does that only apply to that section of Irish society? I think rather that I could find you speeches not uttered by Mr. Parnell or his followers that seem to me to have a very relaxing influence on the connection between the two countries. There was a meeting, I think, in 1869, attended by the Earl of Inniskillin, Viscount Cole, Sir Thomas Bateson, and many other Orange notabilities. The following Resolution was proposed by the High Sheriff of the County of Antrim:—

> "That we shall continue to uphold the legislative union between Great Britain and Ireland as long as the international compact is respected and held inviolable by the British Parliament; but should the 5th Article of the Treaty of Union, which is expressed to be fundamental and perpetual, be repealed, we shall be forced to regard the Union as virtually dissolved."

I have in my hand a whole collection of these speeches. I do not propose to detain your Lordships with them at this moment; but I do think it extremely interesting that we should have the language of Irishmen, eloquent, and perhaps irresponsible, as it is, upon both sides of the question when we are discussing this matter. Let me go a step further. I am very sorry not to see here the noble Viscount the Adjutant General. If the noble Viscount Lord Wolseley is not greatly maligned, he has offered to organise the forces of disorder in case a particular Act of Parliament which has been proposed to Parliament shall be passed. He has never contradicted that, and I should have been glad if he had been here to-night to get up and contradict it on the spot. I do not doubt that he will contradict it to-morrow. It is an allegation which has been frequently made, and that should be either substantiated or repudiated, and it is at least as treasonable an utterance (from any private individual, much more from a paid and permanent official of the Crown) as I think almost any that is recorded in the Report before us. Let me bring the matter nearer home. There is one of your leaders, not the least eloquent, not the least popular of your leaders, though he is somewhat in dis-

grace with you now, because he warned you of the gross folly that you were going to commit. What did the noble Lord, the late Secretary for India, late Chancellor of the Exchequer, late leader of the House of Commons, say? He said, "Let Ulster fight, and Ulster will be right." That, again, was in the contingency of the passing of a particular Act of Parliament. I do not care to dwell on ex-Ministers; let me come to Ministers. I know that the noble Marquess would be the first to resent anything that was at all illegal in the language that was uttered before him or near him. I was pleased with the holy horror that he expressed of anything of that description to-night. But I find that in the year 1886, when the noble Marquess was in the free shades of opposition, and when he was attending a meeting at St. James's Hall, with the object of organising an opposition against the then Government, Colonel Saunderson made a speech at the righthand of the noble Marquess, which met his entire approval. Colonel Saunderson said—

"Who were the traitors? The men who were determined at all hazard to protect the Union, and uphold the authority of the Crown? . . . . . Suppose that some lunatic proposed as a substitute for the police of London, the burglars, the murderers, and pickpockets"—

You do not like strong language I know, but this is language used by a Loyalist—

"And gave it as his reason that 100 years coercion had been tried and had failed and so forth, if there was a probability of such a proposition being carried, what course would be adopted by the citizens of London? He ventured to say that the gunmakers would make their fortunes. The most peaceable citizens of London would prepare to make ready for the new police, and that was what they were doing in Ireland, and because they acted in that extremely common sense way they had been called disloyal, and Sir Henry James"—

I do not understand that name coming in this connection—

"Informed them that they were half traitors."

That was strong language with regard to the establishment of a Home Rule Government in Ireland, which was then a proposition offered by the Government of the day to the consideration of Parliament, and one would rather have expected that the noble Marquess who was present as guest at that meeting, would have expressed a strong disapproval of it, but he was perfectly delighted. The noble Marquess said—

"I would not attempt—it would be impossible—to add to the force of the exhortation and description which you have received from my hon. Friend just now. It would be attempting to paint the lily to do so, and I have no doubt that he and the Ulstermen mean what they say. We all reject with indignation and contempt the effort which has been made in the House of Commons to depreciate their legitimate exertions for self defence."

that is to say, legitimate exertions for what? For what Mr. Johnston of Ballykilbeg called "lining the last ditch with riflemen." Well, I say, if the noble Marquess is prepared to listen to that sort of language, which, under the circumstances, was a flat, or a possible, incentive to revolution, he must not be shocked if he finds that other Irishmen have somewhat eloquent tongues. My Lords, you may ask why I quote these instances. I quote them simply for this purpose: that you may mete out the same measure to these Irishman as you mete out to your own Irishmen, and that what is heedless rhetoric on one side shall be heedless rhetoric on the other. But I really do not need to extenuate in any degree the utterances of Mr. Parnell and his Party as set down in the Report. There is an operation in the Law Courts, at any rate in the Bankruptcy Court, which is called "whitewashing." I venture to say that Mr. Parnell and his followers have received a complete whitewashing as regards all their previous language, which, although it was printed and published and notorious, and perfectly well-known to the noble Marquess and his followers, did not prevent their forming a close political alliance with them long after those speeches were delivered, and which did not prevent the Viceroy of Ireland, under the auspices and with the cognisance of the noble Marquess, from seeking an interview with this very convicted traitor, Mr. Parnell, to ask for his assistance in the government of Ireland. My Lords, I believe that when you come to consider what these Irishmen have done; when you consider that they have had to fight against the whole force and fleets and armies of the Empire; that they have had to fight for the liberation of their country against a nation so infinitely stronger than their own, when you think of all the forces arrayed against them, and when you reflect on

what they have accomplished, you will not blame them for having united so far as might be the scattered branches of the Irish race, and for having accepted money without too closely inspecting its origin. After all, the Emperor Vespasian did very much the same thing. If you could prove that this association of what you call dangerous persons in America had won over the Parliamentary Party to the party of violence, I should say that you would have made a stronger point than is made in the whole Report; but, as a matter of fact, you have evidence of exactly the opposite description. You have the evidence—you may not trust it, but I believe that Mr. Davitt, whatever his faults may be, is frank and outspoken enough—you have evidence at least that Mr. Davitt believes that he has converted Mr. Ford, the *bête noire* of the whole agitation, and you have, at any rate, this further evidence, that since Mr. Parnell has been able to control all the scattered branches of the Irish Party, wherever they be, violence in the acute form in which it existed during the Tithes war and the previous insurrectionary movements of the present century has very largely diminished. My Lords, I do not want to dwell for another moment on what I may call the political charges, because they are not the essential charges. They would not have justified the inquisition that you set up. They were all in print when you set up that inquisition, and though they come as a novelty to the noble Marquess they came as a novelty to nobody else. What you did set up this extraordinary tribunal for was this: to investigate grave moral crimes, crimes which would have made the Irish Members unfit to sit in the House, and unfit to associate with gentlemen. Now, I venture to say this, and I am only imitating Mr. Chamberlain in saying it—that if it had not been for the attention excited by the forged letters there would have been no Commission at all. And what I will say further is this: that if the charges had been originally formulated in the way in which they are placed in the Commission Report it is very likely that public opinion would not have been so much attracted to them as to compel a tribunal of this description. But, my Lords, how was it that they were formulated?—and this is rather important. I will give an extract, not from the *Irish World* or the *Irishman*, but from the *Times*. The *Times* says—

"The whole conspiracy, whether carried on by mealy-mouthed gentlemen who sit at London dinner tables, or by the fiends who organise arson and murder, is one and indivisible."

These are the charges that the noble Earl has hardly thought it worth while to allude to—

"It is paid out of the same purse; it is worked by the same men; it is directed to the same ends; it is inspired by one universal spirit of hatred to this country and determination, if possible, to bring about complete separation."

Again—

"Rebellion is seen no longer in the eyes of Irish Archbishops, or crime in the judgment of Radical statesmen; but no Prelate has yet dared to bless the deeds which stand proved against the Land League. No mystic philosopher has named the natural horror of humanity for the inevitable accidents of the Irish rebellion. Murder still startles the ambitions and the doctrinaire, and we charge that the Land League chiefs based their movements on a scheme of assassination."

I must ask your Lordships' attention to that; that is a charge which, oddly enough, has been omitted from the speech of my noble Friend below me (Lord Camperdown), and the noble and learned Lord (Lord Selborne).

"A scheme of assassination, carefully calculated and coolly applied. Be the ultimate goal of these men what it will, they are content to march towards it in company with murderers. Murderers provide their funds; murderers share their inmost council: murderers have gone forth from the League office to set their bloody work afoot, and have presently returned to consult the 'Constitutional leaders' on the advancement of the cause."

These are the charges which obtain little or no notice in the Report, and much less notice in the speeches of noble Lords who are against us to-night. I will only trouble your Lordships with one last extract. This is also from the *Times*. You are shocked by the language of the *Irish World*, and therefore I am almost afraid to read you this extract from the *Times*—

"We have seen how Mr. O'Donnell's Constitutional organisation was planned by Fenian brains, founded on a Fenian loan, and reared by Fenian hands; how the infernal fabric rose like an exhalation to the sound of murderous oratory; how assassins guarded it about, and enforced the high decrees of the secret conclave within by the bullet and the knife. Of

that conclave to-day, three members sit in the Imperial Parliament, four are fugitives from the law; against one a true bill for murder stands recorded; all the exiles consort with professed assassins since their flight."

The only exile I have traced since his flight is now appointed by the United States, which is not a particularly prejudiced country, its Ambassador to Chili. I do not know whether that is what was contemplated by the *Times*, but it certainly is a somewhat unfortunate expression. Well, my Lords, I say that when you leave out all reference to the charges preferred in that language which made that Commission almost necessary, it seems to me that you are acting in a way unworthy of yourselves. The noble Marquess said to-night that he could not understand that in criminal tribunals it was usual to add an apology to convicts who happened to be found not guilty of some particular charge. I do not think that that is a fair statement of the case as it applies to these Gentlemen. You have had charges brought against them in the grossest, the foulest, and the most venomous language, all of them emphatically disproved. What you have had proved are the minor charges of political offence. But let us take the facts as they occurred, and try to apply them to any Member of this House, to any Member of the Conservative Party if such a thing be possible. A certain newspaper brings a charge against a Member of Parliament, it brings it with the avowed object influencing a Division in Parliament; it is based on gross perjury and forgery, accepted without examination as to its authenticity or its source, but all this is never discovered until after the forgery has done its work in Parliament. Well, my Lords, if ever there was a breach of the privilege of Parliament, that was a breach of privilege. What does "privilege" mean if that is not breach of privilege? And yet this breach of privilege having been committed, and proved to the last syllable, the Government think it worthy of themselves, worthy of their majority in the other House and worthy of the majority of this House not to state by a single sentence their reprobation of this wound of the honour and the privileges of Parliament. My Lords, it seems to me that the Press in this country has unbounded freedom, and we rejoice that it has unbounded freedom, but its responsibility is co-existent and co-equal with its freedom, and I venture to say that the *Times* newspaper, with all its great traditions, was well aware of the responsibility that it incurred in publishing this matter, and I venture to say that if the truth be told, the managers of the *Times* newspaper themselves are not a bit less surprised than we are that you have not thought it well to vindicate in any way the outrage that they themselves, perhaps unwittingly, committed upon the privileges of Parliament. But, my Lords, what makes the action of the Government a little more suspicious is this: That at an earlier moment they were extremely solicitous about the privileges of Parliament. They offered the services of the Attorney General, they offered a prosecution at the public expense. All this was presumably when they believed the charges to be true; but since the charges have been absolutely and wholly disproved, there is not a word or an offer on behalf of the privileges of Parliament, no prosecution, not a farthing of money, not a whisper of all the thunders that they formerly promised, it is all allowed to relapse into silence, because the charge has been proved to be emphatically untrue. Then, my Lords, how does the transaction altogether sum up? I apologise for alluding to it, but it has been so little alluded to this evening that it is necessary to remind you what the real issue is. You attack an innocent man, you try him by a tribunal—I will say nothing about the tribunal, but, at any rate, it is one which you choose yourselves, it is one as to the methods and as to the selection of which you do not allow him the slightest voice, because the House had hardly begun to discuss that tribunal when you closured every clause of the Bill. You take him, the tribunal finds him innocent, and you fine him £40,000 of expense for having been found innocent by your own tribunal. That is the net result of establishing innocence under Her Majesty's present advisers. Do you believe that that would have been the result of this transaction if he had been one of your Lordships—if he had been a Conservative politician—if he had been even that rarer and more cherished specimen the Liberal Unionist? Do you suppose that,

under any circumstances, he would have been allowed to leave that Court, innocent of these gross and foul charges, at a loss of £40,000 to himself? I venture to say, whatever your belief may be on that point, the belief in the country is tolerably unanimous. Then I would venture to ask you one question more. It is not now a question of refunding to Mr. Parnell the expense to which you have put him, but have you no apology to offer to him for the treatment to which he has been subjected. I take it in no respect offensively, but I will ask for a moment the noble Marquess to place himself in that position. We have on former occasions charged the noble Marquess with what we considered political offences of a grave kind. I remember when he chose to embark us on a war with Afghanistan we charged him—we all charged him then—some eloquent voices on this side, which are now dumb, and which are the first to support his policy, arraigned him in eloquent terms for a gross political offence in making war on Afghanistan. I still consider that that was a great political offence; but suppose we had charged the noble Marquess with some moral crime in addition; suppose we had produced some forged document, some sugar-loaf memorandum or something of that sort; suppose we had produced that with the object of influencing Parliament, against him and then we had discovered that the document was forged. I will give no such disparagement to any Peer on this side of the House, whether he agrees with us on the Irish Question or not, as to suppose that we should not have offered just reparation, and the amplest reparation that it was in our power to offer. We should have continued to consider, as we do still consider, the Afghanistan War as a grave political offence, but we should have been the first to delight in clearing the noble Marquess of any moral crime with which we had unjustly associated him. I have always understood that any high-minded man would feel a pleasure in such an atonement as I propose, and which ought to be added to your Resolution to-night. There is a sense of honour, I believe, inherent in every man which is tortured as long as any such reparation is withheld. But if the noble Marquess is determined to withhold that apology, I can only say that he is making a mistake, as I think, from his own point of view. He will find the mistake—he has already found the mistake in the elections which have occurred since the debates upon this matter in the House of Commons. I do not appeal to you opposite now either as Peers or as politicians, or as statesmen, if you like; but there is a higher name, a more universal name than any of those: the name of an English gentleman; and I should appeal to you as English gentlemen, if you think you have done your duty, having fathered and fostered and sanctioned these charges against the Irish Party—["No, no"]—by the employment of the Attorney General—["No, no"]—yes, you have allowed the Attorney General to sanction, and you have sanctioned the charges constantly since by your language. The noble Marquess spoke to-day of the Irish Members as a branch of a criminal profession. If you chose to sanction these charges by your voice, retrospectively or prospectively, I say that when you find they are absolutely false you owe, as English gentlemen, if as nothing else, a reparation to the man you have wronged. My Lords, I have only one more objection to urge, and it is this—this is no matter for this House at all. So far as it affects Parliament it is a matter for the House of Commons. But I do not think it affects Parliament at all. In its inception, in its conception, in its execution, the whole glory and credit of this transaction belongs to Her Majesty's Government, and Her Majesty's Government alone. I cannot help observing how extremely anxious they are—how generously, how unselfishly anxious they are to share their triumph with others. They have already associated the House of Commons with it, and they now ask your Lordships to be associated with it. It reminds me of a story which was once told me by a friend of mine who was contesting one of the last of the pocket boroughs. He was contesting it against the nominee of the proprietor of the borough. The nominee was the unpopular candidate—my friend was the popular candidate. Of course, the nominee got in, and at the declaration of the poll my friend and the nominee being inside the Court House heard the shouts of the populace outside for the blood of the successful candidate,

and the sound of the stones and brickbats that were prepared to salute his exit. The nominee said to my friend, the popular candidate, with an exceedingly pale face, "Do you not think it would produce a very happy effect if we showed that there was no ill-feeling and walked out arm-in-arm together?" "No," said my friend, "I would not rob you of a particle of your well-earned triumph." I cannot help thinking that that is rather the position of Her Majesty's Government on the present occasion. They wish to shift the responsibility they rashly and foolishly assumed on to the shoulders of Parliament. If it was a question of printing only one paragraph on the Journals, I myself would agree to it—that paragraph which clears this House of all responsibility in the rejection of the Compensation for Disturbance Bill and for the subsequent increase of Irish crime. I would gladly see that put upon the Journals as a possible whitewashing of this House which I only hope that history will confirm. But you wish to have the whole of it. Well, I venture to say that you are making a great mistake. You are wantonly and unadvisedly constituting yourselves judges of what only affects the House of Commons. Suppose a Peer were to have been brought up in this manner before the tribunals of the country, should you be pleased that the House of Commons graciously stepped forward and said that they were willing to adopt the Report regarding that Peer and to enter it on the Journals of their House? I venture to say that one-half of those I see before me would say that that was an outrageous breach of their privileges. But here there is no Peer implicated—I wish to God there were a Peer implicated in this transaction! It would be better for Ireland and better for the Irish Peerage if some of that Peerage were found among the defendants this evening. [*A laugh.*] Yes, you laugh, but the facts remain the same whether you smile or not—that on one side stand the Irish people, headed by the defendants, and on the other side stand the Irish Peerage. It may be perfectly true that the Irish Peerage are right and the nation wrong—that makes it no better for that aristocracy. Because, if there be one truth more strictly and universally written than another by history, it is this: that an aristocracy divorced from a nation is a doomed aristocracy. I regret it with all my heart, but it is a truth written on the ruined Palaces of Venice and of Versailles. It is a lesson written in every page of history; and however much we may regret it, we cannot avoid the inevitable conclusion that an aristocracy severed from the nation is a doomed aristocracy. I regret that the Irish nobility have not once more seen their way to guide and control and to lead the national movement. When I first mentioned my regret at that want of association, I thought I heard a laugh on the other side; and yet it is not a hundred years ago since we had your Charlemonts and Cloncurries and Fitzgeralds—Charlemonts who were not ashamed to lead the Irish Volunteers, Cloncurries and Fitzgeralds who were not ashamed to share the aspirations of Ireland even to prison and the grave. There is no such Peer now. There were Peers a little later who were not ashamed to sign a protest against the Union, as to which I will make no apology for reading a single sentence from it—

"Because the argument made use of in favour of the Union—namely, that the sense of the people of Ireland is in its favour—we know to be untrue, and as the Ministers have declared that they would not press the measure against the sense of the people, and as the people have pronounced decidedly and under all difficulties their judgment against it, we have, together with the sense of the country, the authority of the Ministers to enter our protest against the project of Union, against the yoke which it imposes, the dishonour which it inflicts, the disqualification passed upon the Peerage, the stigma thereby branded on the Realm, the disproportionate principle of expense, the means employed to effect it, the discontent which it excites and must continue to excite—against all these and the fatal consequences they may produce we have endeavoured to interpose our votes, and, failing, we transmit to after times our names in solemn protest on behalf of the Parliamentary constitution of this realm, the liberty which it secured, the trade which it protected, the connection which it preserved, and the Constitution which it supplied and fortified; this we feel ourselves called upon to do in support of our characters, our honour, and whatever is left to us worthy to be transmitted to our posterity."

That posterity have no share in those aspirations, and yet that paper was signed by such names as the Duke of Leicester, Lords Arran, Mount Cashell, Farnham, Massy, Strangford, Granard, Ludlow, Moira, Wm. Down and Connor,

R. Waterford and Lismore, Powerscourt, De Vesci, Charlemont, Kingston, Meath, Lismore, Sunderlin, Belmore, and Riversdale. That protest was signed in the year 1800. Probably those great Peers, the greatest of their country, did not think that in the time to come the national movement would have lost altogether the guidance, the help, and the leadership of that posterity to which they appealed. But I do not think it is only the Irish Peers who have lost their opportunity on this occasion. I am afraid that Government and Parliament have both lost their opportunity. No one, I venture to say, can calculate what would have been the effect on a generous and high-spirited people if the Government, when these transactions were closed, had thought fit to lay upon the Table of the House a Resolution declaring its unfeigned regret for the charges which have been disproved and which were founded on fraud and on forgery. There never, in my opinion, was so gracious a chance vouchsafed to any Government. They have disdained it. They have preferred to complete their full tale of years of what they are pleased to call "resolute government." They might have sent a message of peace; they have preferred to send a message of scorn. It is a disastrous mistake, which will be felt, not only here, and not only in Ireland, but will tingle to the furthest corners of the Empire. From Queensland to Vancouver's Island it will be known—in our old colonies, in the colonies which are still ours, and in those colonies which were once ours—through all the scattered habitations of the Irish race, that you placed their leader in judgment—that you brought gross calumnies to bear upon him, that you inflicted an enormous fine upon him, and that, when it was found the charges were based on forgery and were absolutely untrue, you declined to give him the apology which you would have given to any private person. Your message will be appreciated as it deserves, but I shall be greatly mistaken if it conduces to the safety, honour, and welfare of our Sovereign and her dominions.

THE LORD CHANCELLOR: Before saying a word or two in reply to the speech your Lordships have just heard, I should like to put myself right in reference to the somewhat grotesque caricature of what I said on the appointment of the Commission by my noble and learned Friend Lord Herschell. My Lords, I never said anything so ridiculous as that attributed to me by my noble and learned Friend, or anything to that purport or effect. I was endeavouring to show, when I was interrupted by a noble Lord, that the question of the accusation was not one which came from Her Majesty's Government at all, but that Mr. Parnell and his friends had themselves desired an investigation into grave charges affecting the public character of public men. The passage which my noble and learned Friend quoted from my speech stops short at an important point. What I was saying was this—

"Here is a case in which a newspaper of high authority and great respectability——"

Then I was interrupted by my noble Friend the Earl of Kimberley—

"No, not more so than others."

and I proceed

"My noble Friend says 'No.' I cannot agree with him. I think there are some newspapers in this Metropolis which are an absolute disgrace to journalism, and with respect to whom I should not condescend even to notice the abuse which from time to time they level at public men. I think the *Times* and many other papers are of such a character of respectability that no public man can afford to disregard such grave charges as are made in this case."

There my noble Friend stopped, and your Lordships would suppose that what I meant to imply was that if they do disregard those grave charges they must be supposed to be guilty. But what I did go on to say was this—

"If Mr. Parnell would not bring an action, he ought not to complain if an effort was made, even by his political opponents, to give him the opportunity of clearing his character."

Anything more unlike what I did say than the version of it given by Lord Herschell I can hardly imagine. And this point is not altogether irrelevant to what has been said by the noble Earl who has just addressed your Lordships. It seems to be assumed by him that the accusation is the accusation of the Government. The sole ground for that, so far as I heard, was that the Attorney General was conducting the case. I cannot do the noble Earl the injustice of supposing that he does not know that in conducting the case for the *Times* the

Attorney General had no more to do with the Government than the noble Earl himself. He was appearing as a private counsel for a private client, both in the original matter out of which the Commission arose and before the Commission itself. I observe that throughout the noble Earl's speech he refers to the conduct of the Government. He says, "*You* have made the foulest accusations." "*You* have done this or the other." Throughout his speech he assumes as the state of facts that her Majesty's Government were making the accusation on their own behalf, and that, the accusation having been disproved, apology was due from them to the persons supposed to be acquitted. I have a word to say presently as to the extent and degree of the acquittal, but I wish first to meet that entirely erroneous assumption that the Government had anything to do with the matter except to find a tribunal which could impartially try the questions, and give the accused persons full and ample opportunity of clearing their characters, if possible, of all the imputations levelled against them. Now, in the course of this debate we have wandered a considerable distance; indeed, the noble Earl, in a peroration which certainly seems to have caused him a great deal of trouble and time, took us back over the history of the last 90 years of Irish politics. But what we have to do with is the Report now before your Lordships. In the first place, we have to consider what is the course which we are to take. We are, in the first place, to thank the Judges. I observe a somewhat minute criticism of my noble Friend's phraseology in the introduction of the Motion to your Lordships—that he did not exactly follow the words of the Motion in the qualities which he attributed to the conduct of the Judges. But the substance of the matter is this. The three Judges have been selected by your Lordships and the other House of Parliament. They did not ask to be employed. The very last thing they would have desired would be to have placed upon them the great burden which Parliament entrusted them with. But the will of Parliament placed upon them that great burden, and, by concession of all sides, they exhibited patience, industry, courage, and impartiality, worthy of all praise, and yet the paragraph of the Motion thanking the Judges is found fault with. It appears to me that the noble Earl, Lord Derby, has sufficiently answered that argument when he pointed out that Parliament frequently thanked people for the exhibition of qualities which, nevertheless, they are supposed to possess. But now let me say one word more upon the appointment of this Commission. I confess I should have thought that the more rational course would have been to treat the results of the Commission and what has happened in the course of the inquiry as the proper subject of debate, rather than its origin, but two noble Lords—my noble Friend who introduced this discussion and the noble Lord the late Viceroy of Ireland—have thought proper to refer to that question. That is, I cannot help thinking, the resurrection of a former debate, and it necessarily involves also the reiteration of the very class of observations by which that debate was distinguished. The first thing that occurs to me is that the noble Earl is the person who is so utterly shocked at the un-Constitutional nature of the tribunal. Well, one ought not, I suppose in political life to be surprised at anything; but this was a tribunal which had no executive powers, and no result beyond the finding of facts and leaving both Houses of Parliament to deal with them as they pleased. It is contended that it is un-Constitutional for Parliament to refer the questions to the decision of three Judges, because they might have political opinions of their own. All the people of this country, happily, I believe, have political opinions of their own. But the Judges are removed from the atmosphere of politics in the sense that their office precludes them from intervening in hot political debates. What the Judges have done there is no doubt they have, by confession of all, done with great patience, and assiduity, and impartiality. Did the noble Earl never hear before of a tribunal consisting of Judges alone whose judgment was to result in death?

A noble LORD: A Court Martial.

THE LORD CHANCELLOR: No, not a Court Martial, but a tribunal erected by the law. Did he never hear of a tribunal being appointed for the trial of murderers in Ireland to take the place of juries, the absence of which the noble Earl was so desperately shocked at? It is also said to be very shocking that no

apology is to be tendered to Mr. Parnell by Her Majesty's Government for an accusation they did not make, and in respect of which they obtained a tribunal for Mr. Parnell to prove his innocence before, if he could. The noble Earl who last addressed the House drew a touching picture of Mr. Parnell sitting at his prison window. But who put him in prison? What for? Well, he is out again, but I quite expected we should have heard from the noble Earl some courteously couched apology for having put him there. That was the act of the Government, and by their Irish Attorney General, speaking, not in his character as private counsel, but as the representative of the Government, saying that Mr. Parnell and his Colleagues were steeped to the lips in treason. When this sort of observation is made it is impossible not to recur to these events which seem to be so very relevant when you are discussing the excuses of the Irish Members, or attacking Her Majesty's Government, but which seem to be quite irrelevant when you are talking of the late Government. Then there is another question which was raised, and which the noble Earl, I think, omitted to answer. I really thought there was going to be an apology—I thought something like the canonisation of the Land League was to be entered upon. A very relevant question was asked across the Table to which I heard no answer—"Why was the League suppressed?" That is a question we should like to hear a little more about, especially when you talk of the country forming its own judgment on this matter. Why was it suppressed? Was it guilty of crime? The only word the noble Earl permitted himself to use with regard to it was that it was a dangerous association. Dangerous in what? Was it only in making violent and eloquent speeches, or did it do something else which led to outrage and crime? If it did, who were those who were associated with it? It is impossible to go minutely through the Report. My noble and learned Friend alternately said that the Report is unsatisfactory and unsupported by the evidence, and then that he has not seen the evidence, and therefore could not form a judgment upon it. I do not quite follow those two propositions.

LORD HERSCHELL: I said, in the absence of the complete evidence, that I assumed that the Judges had put forward in the Report the strongest evidence they could in support of their conclusions.

THE LORD CHANCELLOR: I did not quite so understood my noble and learned Friend, but I, of course, accept what he says. I observe there is an attempt to minimise the effect of the statements hostile to the Irish Members. When noble Lords talk about boycotting they say, "Oh, it is not confined to Ireland." I believe "boycotting" is one of those elastic phrases by which it is possible to conceal very wicked crimes or to describe very trivial and venial ones. I do not hesitate to denounce boycotting, not in the gentle and tender language of some persons who "disapprove of it," and "dislike it," but I denounce boycotting as an abominable and wicked crime, whether it occurs in England or Ireland. The difference between us is this: that whereas some persons, when it occurs in Ireland, are disposed to treat it in tender and courteous phraseology, although they would denounce it in England, I uncompromisingly denounce it wherever it occurs. Again, the question is, whether it is true to say that boycotting exists in England, I have not heard any politician, at least on this side of the House, defend for a single moment, any one of those things which in Ireland are included under the term "boycotting." Now, let me come to the particular example which my noble and learned Friend has given as indicating the imperfect character of the findings of the Special Commission, and that is the question of giving people money after they have suffered injury in the cause of some illegal practice. It is said to rest on one letter.

LORD HERSCHELL: My point was not that it rested on one letter, but that whether it rested on one letter, or whether there were other instances, as was suggested to be possible, there was no evidence that the 64 persons charged were cognisant of or had anything to do with it.

THE LORD CHANCELLOR: It is impossible, of course, to conduct the discussion in dialogue; but I understood, and I think most of your Lordships understood, that the commentary was this: that this was a single example,

and that the Commissioners had no right to assume, and that it showed the unjudicial character of their determination in assuming, that this was only one of a set of examples. As to tracing the act of the Land League to the 64 persons, I need not say that it would be impossible to discuss that question without going into the whole of the evidence. But what the Commissioners set out is this—"Here is a distinct example which, although it is one instance, shows not that one instance only, but a system, because by the nature of the evidence which we had before us we inferred from it not a single and isolated instance, but a system." Now the nature of the evidence is this: Fortunately it is comparatively short, and therefore need not detain us long. The question, your Lordships will remember, is the payment of money by this organisation to a person who has suffered by reason of having been injured in the course of committing some crime. I say nothing about the quantity of letters destroyed too successfully, and one letter and a few other documents by accident preserved, but this is the letter. The misfortune of discussing a subject like this upon casual observations is that you have not before you the full effect of the evidence in its combination, which is therefore entirely lost. The letter is written by a person who is asking for assistance; and to whom is it written? I pray your Lordships' attention to the name of the person and the position he held. It is addressed to Mr. J. P. Quinn, Secretary of the Land League in Dublin—

"Sir,—I beg to direct your attention to a matter of a private character, which I attempted to explain to you when I was in Dublin at the Convention. The fact is, that one of the men from a shock lost the use of his eye. It cost him £4 to go to Cork for medical attendance, &c. Another man received a wound in the thigh, and was laid up for a month. No one knows the persons but the doctor and myself, and the members of that society. I may inform you that the said parties cannot afford to suffer. If it were a public affair, a subscription list would be opened at once for them, as they proved to be heroes. One other man escaped a shot, but got his jaws grazed. Hoping you will, at your discretion, see your way to making a grant, which you can send through me or the Rev. John O'Callaghan, C.C.

"Yours truly,

"Timothy Horan."

On the back of this letter was this endorsement, and it is this which has been referred to to-night as the doubtful signature or initials:—"£6. 12-10-81, J.F."

The Lord Chancellor

Upon this the Commissioners say—

"We have no doubt that the application made in this letter was for compensation to persons injured whilst in the commission of some criminal act.

"It was proved before us that the initials J.F. were those of Mr. John Ferguson, of Glasgow, who tells us that he was one of those who originated the Land League, and was Chairman of the Executive Committee upon October 12, 1881.

"It was also proved that the application was entertained at a Land League meeting of the executive in Dublin on October 12, 1881, and that the £6 applied for in the letter was granted, and was afterwards paid to T. Horan by a cheque of Dr. J. E. Kenny, M.P., treasurer of the Land League in Dublin. It was said that this was an isolated case, done at a time when the leaders of the Land League were in prison and unable to conduct its business.

"This latter excuse cannot be accepted, for on October 12, 1881, many leaders and officials of the Land League were still at large, and the Executive Committee then met.

"With regard to its being an isolated act, we have not been afforded the means of arriving at such a conclusion. The correspondence of the Land League with its branches has not been produced, nor has the non-production been accounted for."

I think I heard some one say that this correspondence might have been destroyed by accident. If so, that could have been proved, and it was not, and the Commissioners tell us upon their responsibility that "its absence has not been accounted for." Then the Commissioners proceed—

"The transaction, as it appears in the book which was produced, would, on the face of it, seem to be regular, and it was only by the accidental preservation of the letter by Phillips that its real character was made manifest.

"Mr. Ferguson, in cross-examination, stated that they had had several similar applications, that some were granted and some refused, but none were ever assented to without the permission of the Executive Committee, and that each case was considered as it arose; and Mr. Biggar, M.P., says that in the course of their business, such an application would certainly be considered by the executive and dealt with.

"Mr. Ferguson stated that, in his view, the men for whom the £6 were asked, had been carrying out some of the purposes which the League would require them to carry out; that is to say, some of those purposes that came within their rules, but which the police would baton them for, and that in Ireland they were bound to sympathise with men who were doing things that under a Constitutionally governed country they dare not and would not sympathise with, and he added that personally he would assist them, even if they had been engaged in crime, to medical assistance if

no other could be got, and that he should do it again except for the matter of implicating the League.

"Timothy Horan was dead, but neither Mr. Quinn, who had been in Court, nor the Rev. Mr. O'Callaghan, were called before us."

I have thought it right to quote this at length, because that is the single example selected as a proof how rashly the Commissioners have come to the conclusion that it is a system as distinguished from an isolated act; and your Lordships will see with what justice that action is made against the Commissioners when the whole transaction from the beginning to the end begins by an application to the regular and proper authorities of the Land League, the Land League assenting, and the money being paid by the treasurer of the League; it being admitted by Mr. Ferguson and Mr. Biggar that those were applications that would be made, that were made, and treated on their merits; and yet that is supposed to be an isolated instance, and not depending on the regular system under which the moneys of the Land League were administered. It is important, because it is the only instance fixed on; and therefore I have thought it right to go at some length into the case in order to show how entirely inaccurate is the supposition which I had supposed (it appears in mistake) that my noble Friend had made that the Commissioners had proceeded without sufficient evidence to show that the payment made was not made as a question of isolated relief, but as part of a system. Now, my Lords, what are we asked to do? I will say nothing about the apology. I think that once we have ascertained with sufficient precision who the persons making the accusations were, and the relation of Her Majesty's Government to the accusation, we shall hear no more of that eloquent appeal to make an apology, upon which the character of this House, the stability of the Government, the existence of an aristocracy, were all said to depend. But, having ascertained that, what is it that we are asked to do? It is said we have nothing to do with the House of Commons. That might have been an argument against passing the Act; but both Houses assented to the Act which created the Commission, and both Houses requested the Judges to make this Report. With what object? Suppose it had been an entire acquittal. One is a little surprised to find that it is not, after what has been said elsewhere. If the Report is really of the character which we have heard ascribed to it, one might have supposed that there would have been an eager desire that it should find a permanent place on the records of the House. But suppose it had, in fact, represented an entire acquittal—what more graceful or proper act could there have been than that this House should record that acquittal upon its Journals? Why is it that objection is taken to placing it there? It is because, when one reads the Report, it turns out that a great many of the charges are established. Upon that subject we were told by one noble Lord that the other charges and the "other persons" were introduced into the Bill at a time when it was supposed that the letters might break down. It is a very delightful thing to be able to speak in that vague and general way, because you are perhaps not susceptible at the moment of being refuted. But I should like to ask that noble Lord, when does he mean to say that it was suspected or ascertained by Her Majesty's Government that the charges about the letters were expected to break down? In the discussions, I think in the early part of July, effort was made in the House of Commons to confine the question to the letters, and it was refused then after full discussion. It was pointed out that the letters only formed evidence, and comparatively a small part of the evidence, to establish that which was imputed to the Irish Members. When was it, I should like to know from the noble Lord, that he suggests that the Government began to suspect? Because the sort of picture he drew was this: that at one time the Government thoroughly believed in the genuineness of the letters, and that they considered they were a weapon that might be used against their political opponents—not a very handsome suggestion, I must say, but that was the suggestion made—and that then at some time or other, which the noble Lord did not think proper to condescend upon, they began to suspect the letters were forged; and that then they fell back upon the other charges. I really do not understand what incident in the course of those discussions the

noble Lord is refering to. The history of them I should have thought was sufficiently recent—although it is, I admit, more than a year and a half ago now—to have negatived any such suggestion. The allegations made in *Parnellism and Crime* had begun before the *fac simile* letter, as it is called, was published. It was not confined to those particular letters. The accusations were of a far wider character, embracing those that have been found to be truly stated, and some that, happily for the Irish Members, have been found to be unfounded. But that was the state of things. No doubt it was the desire of Mr. Parnell and his friends to confine the charges to the alleged letters. They knew—Mr. Parnell knew—no one better—that the letters were forged, and that there must be a triumphant acquittal if the inquiry was confined to that charge, but that was not the charge alone that was made. The charges which were made were charges which went beyond and outside that, and of which these letters or that particular letter formed perhaps no unimportant part, but not, I think, the chief part. Now the condition of things at which we have arrived is this: that the letters have been proved to be forgeries; they have been proved to be utterly unworthy of credence. Be it so. But the Commission have found grave charges proved, in fact, against the persons against whom those charges were alleged. I dismiss for the moment now the question whether those findings are justified by the evidence. I have endeavoured to show that as to some of that—with all respect to my noble Friends, I was going to say—nibbling criticism against the mode in which they have been found, it is without foundation; and I shall assume that the charges have been found on good and sufficient evidence. Then, if they are, and if Parliament has invited the Judges to enter upon that investigation, why is not our House of Parliament to place upon its records the Report, which is equally made to both Houses of Parliament? Why is this House not to have cognisance of this matter, which this House sent to the Judges equally with the other House of Parliament? My Lords, I believe that the question is a comparatively narrow one. Although some noble Lords have thought it right to wander over the whole field of Irish politics, as if the question was one to be decided by one's political ideas one way or the other, and not upon the question of fact whether certain facts have been established upon certain evidence, it seems to me that when once one has arrived at the conclusion that the thing that the Judges were asked to do they have done, as I say ably and well, and courageously and impartially, then the question whether or not, when those facts are found, we should place them upon our records is a very narrow one indeed, and is not affected by the question whether or not that tribunal, so completely removed from political animosities and divergencies, ought originally to have been created. I am convinced that the feeling of the country, which the noble Earl thinks is so conclusively established by the election at St. Pancras, and one or two others, will not be guided either by the decision in the other House or the decision here to-night. So far I agree with the noble Lord; but when this Report comes to be known, and it comes to be seen what are the methods by which the animosity of the Irish people is kept up and stimulated and pampered by such an organisation as is found to have existed, and the methods by which that organisation proceeds, I have very little doubt which way the verdict of the country will go. It will certainly not be one that is likely to imperil this House or the British aristocracy.

EARL GRANVILLE: There is some advantage in having a character, and I claim that advantage now, for I believe that when I say that I shall be short your Lordships will have confidence that I shall not be very long. And it is the easier for me to give this pledge, first, because the discussion has been very much threshed out; and, secondly, because I am spared from having to make any rejoinder to the speech to which we have just listened—a speech that did not make any answer to the remarkable speech of my noble Friend Lord Rosebery. My noble Friend pointed out a peculiarity of this debate—and it is certainly a little remarkable—that during this long and interesting discussion not

one single Member of the great Conservative Party supporting the noble Marquess has come to his assistance. The whole burden of the day has been left to my personal and late political friends. I daresay your Lordships will remember an episode in a great Continental battle when certain of the Guards of Louis XIVth could not resist breaking into a loud cheer when they saw their fellow-countrymen, though fighting in a different cause and under a different flag, making a particularly heroic charge. I own that I felt rather an impulse to break into similar cheering when I heard my late noble Friends, not only with great ability but with a chivalrous self-sacrifice, one after another, without the help of their new allies, defending one of the most indefensible measures of Her Majesty's Government connected with Ireland. We have been told of the most grave and serious charges made against Mr. Parnell and his Colleagues in the House of Commons. We know how they demanded an inquiry in the House of Commons, and we know Her Majesty's Government refused that inquiry. My noble and learned Friend Lord Herschell said that he believed that refusal to be contrary to precedent, and contrary to what would have been the case if the demand had been made by an English or a Scotch Member. No assurance to the contrary has been given this evening, and from my own personal experience I am able to justify that assertion. I had once a very grave charge brought against me of peculation and falsification of public accounts. It was open to me to bring an action at law against the libeller, but I demanded an inquiry, and a Committee, as a matter of course, was given to me, and I hope your Lordships will not be surprised to hear I was acquitted of the charge. The objection that was made to that Committee appears to me, notwithstanding all that has been said this evening, perfectly fatal to the constitution of the tribunal which was created. It is said that this was a tribunal composed of Judges whose political feelings were not in sympathy with those of the persons accused; and the noble and learned Lord on this Bench has been taken severely to task for insinuating that the Judges were capable of being influenced by political feeling. I speak not as having any legal knowledge, but as an ignorant layman, and I believe that Judges as we know them, and especially these three hon. Gentlemen who constituted this tribunal, are perfectly incapable of doing anything contrary to their honest opinion; but I do say that Judges, like others, are liable, when considering allegations mixed up with every sort of political consideration, unknowingly to themselves to be swayed by political feeling. Is there anybody in this House who will say that men like Lord Ellenborough, Lord Kenyon, and even Lord Mansfield were not influenced by political feeling? Take the great trial of O'Connell. I never heard any imputation against the Law Lords, and I believe they voted conscientiously according to their convictions; but it is a singular coincidence that they were divided very nearly equally exactly according as they were supporters or opponents of the Government of the day. Take a more modern instance. There are no two men in this House for whom I have a greater regard and respect than Lord Herschell, who is a political and personal friend, and Lord Selborne, who was a political friend, and is still, I hope, a personal friend of mine. I believe no two men to be so incapable of doing anything which they do not think conscientiously to be right. You have heard their speeches; and could any speeches be more diametrically opposed? and did not this result from their being influenced by their political sympathies and opinions? Why should not a similar observation apply to the three Judges? If former political trials had been carried on by Judges, would our liberties have been in exactly the position they are in now, seeing that verdicts against the summing up of Judge after Judge have been secured entirely by the good sense of juries? I can understand that English Members in the other House found it exceedingly difficult to vote against this inquiry. We, however, certainly expressed our objection to the course that the Government proposed to adopt in the matter, and we were not the only ones who did so. Three noble and learned Lords have spoken in favour of this tribunal, but I have the greatest possible doubt as to the

opinion which was entertained on the subject by the majority of the Law Lords as to whether the appointment of this tribunal was a wise, a politic, and a just act. I have the greatest doubt also as to what is the real opinion of noble Lords opposite. Lord Herschell has alluded to a remarkable paper written by Lord Randolph Churchill as to both the policy and the justice of appointing the Commission. I am perfectly aware that Lord Randolph Churchill at this moment is not considered an orthodox Conservative; but I am certain that many noble Lords two years ago did agree with Lord Randolph Churchill on the point. My noble Friend (Lord Herschell) argued that it was a monstrous thing that anybody, in consequence of an anonymous accusation against his political character, should be obliged to go into a Court of Law; and the noble and learned Lord on the Woolsack said that he did not go as far as that, but that he contended that when a respectable paper like the *Times* made the accusation the person must expect to suffer unless he took that course.

THE LORD CHANCELLOR: My noble Friend is quite wrong.

EARL GRANVILLE: Then I really must inflict upon your Lordships a quotation from *Hansard*. On the 10th August, 1888, the noble and learned Lord said—

"It would have been said 'You will not allow these charges to be investigated by the tribunal we ask for, and you substitute no other, limiting us to bringing an action against the *Times*, and submitting ourselves to the judgment of the jury.' I will not advance the proposition that everybody who is abused in the newspapers should bring an action for libel. Here is a case in which a newspaper of high authority and great respectability."

Then the noble and learned Lord was interrupted by the noble Earl (Kimberley), who said "No, not more so than others;" and he proceeded—

"My noble Friend says 'No.' I cannot agree with him. I think there are some newspapers in this Metropolis which are an absolute disgrace to journalism, and with respect to whom I should not condescend even to notice the abuse which from time to time they level at public men. I think the *Times* and many other papers are of such a character of respectability that no public man can afford to disregard such grave charges as are made in this case."

That is exactly a confirmation of what

Earl Granville

my noble Friend has said. I do not think that anyone will say that, if Mr. Parnell had been prematurely driven into a Court of Law by the taunts which were levelled at him, he would in all probability have then secured a perfectly satisfactory verdict on the question of the forged letters. I should like to know how many people approve of this Commission now. I should like to know the opinion of the Judges as to the wisdom of the policy which has been pursued. I should like to know what Her Majesty's Government themselves really think, and what the Attorney General and Sir Henry James and the other counsel on that side think of this policy. I really am not sure that the general verdict would not be that it is the most injudicious action of Her Majesty's Government to have appointed this Commission. Is it perfectly certain that the Motion of to-day is not an after-thought? Is it perfectly certain that the honours of this most interesting discussion do not lie with my noble Relative Lord Beauchamp, who asked the noble Marquess what he was going to do in reference to this Report? The noble Marquess replied somewhat vaguely that it would be best to wait to see what the House of Commons did. In a question of legislation this is, of course, the usual practice. But in the case of a Motion for a vote of thanks, it is certainly the practice of the two Houses to entertain the Motion simultaneously. When the noble Marquess gave notice of this Motion, he did not give the whole of the Motion as it now appears. Whether this is to be accounted for by an omission in the first place, or an addition afterwards, of course I cannot say. The noble Marquess, as has been observed by my noble Friend, proposes to thank the Judges. I object to thanking them at all. It is establishing a new precedent. Can the noble Marquess bring forward any instance of Parliament thanking civilians for purely civilian services? I doubt it extremely. Both Houses of Parliament are perfectly ready to vote thanks to those brave soldiers and sailors who peril their lives in defence of the interests and honour of the country, and it sometimes happens that civilians, like a Governor, having shared in those military operations, are included in the vote of thanks; but I

challenge the noble Marquess to tell us one single precedent, and if there is no precedent what is the use of creating one, where a civilian has been thanked for purely civilian services. I do not object to the right of this House to discuss great questions; but this is a matter which concerns the honour of a Member of the House of Commons, and it is for the House of Commons to deal with it, unless you go much further, and unite in some definite course of action against the persons accused. When the noble Marquess and the Government two years ago introduced this tribunal it was spoken of as an act of justice to Mr. Parnell, but now he makes a speech which is as strongly partisan as possible, ignoring as much as possible the acquittal, and weighing as heavily as he possibly could everything that condemns certain persons. Does it not justify the belief that the readiness with which the Commission was appointed was really in the strong hope that the charges would be proved, and that the political leaders in Ireland would be sacrificed in a manner which would make the policy which they very conscientiously objected to impossible for the present at all events? I doubt very much whether the fact of this House adopting the Report will impress the public with the slightest notion that the Report is of more weight than if we leave it alone. My Lords, I wish to say but these very few words. Because we do not move any Amendment to this Motion it must not be taken that we agree to it. We do not wish to put your Lordships to the trouble of a Division, as it would be almost a farce; but we shall say most decidedly "Not content" to the Motion of the noble Marquess.

On Question, resolved in the affirmative.

Ordered that the said Report be entered upon the Journals of this House

House adjourned at half-past Twelve o'clock a.m., to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 21st March, 1890.

PRIVATE BUSINESS.

MIDLAND RAILWAY BILL.

*MR. T. H. BOLTON (St. Pancras, N.): I rise, Sir, for the purpose of moving, in connection with the Midland Railway Bill—

"That it be an Instruction to the Committee to whom the Midland Railway Bill has been referred to consider the propriety of requiring the Midland Railway Company to provide, by means of a viaduct, a public thoroughfare across their Railway and works in North St. Pancras, from Leighton Road to Queen's Crescent; and if the Committee should be of opinion that it would be reasonable and proper to require the said Railway Company to provide such thoroughfare, to insert the necessary provisions in the said Bill."

In North St. Pancras the Midland Railway Company have a considerable area of ground which lies between Kentish Town Road, near a street known as the Leighton Road and Queen's Crescent. This area is occupied by the Midland Company as a cattle station, and by railway sheds and general buildings of a similar character. But a great portion of it is vacant. The land comes up to the main street of Kentish Town, opposite to the Leighton Road. I wish to connect Leighton Road with Queen's Crescent. If there be any engineering difficulties of a serious character, or of insurmountable nature, which I think there are not, it will, of course, be within the competence of the Committee upstairs to consider them, and if they are found to be of sufficient importance, the Committee can decline to sanction this proposal. At this moment the Midland Company have in Parliament a Bill to confer upon them additional powers, and in that Bill the Company propose to acquire compulsorily certain lands and houses in the parish; to make a new street in connection with the alteration of another street; and further to widen by about 33 feet, or as shown in deposited plan, 80 feet—the bridge at St. Pancras which carries the St. Pancras Junction line over the St. Pancras Road. The Midland

Railway Company, therefore, are asking to widen an already wide bridge by 80 ft., which practically means converting the road below into a tunnel. They also seek to appropriate for the purposes of their railway, Middlesex Street, Harpenden Street, Brill Street, Stanmore Street, Aldenham Street, and Goldington Street, together with certain other places extending to some 5,833 superficial square yards. The Midland Company are asking Parliament to sanction a very considerable interference with the parish of St. Pancras, and as they are coming here for these advantages, at the expense of St. Pancras, it is not unreasonable that the people of St. Pancras should ask at the hands of the company for some conveniences in other parts of the parish as a *quid pro quo* for the advantages which the company are seeking to acquire. The Vestry of St. Pancras have petitioned against the preamble of the Midland Company's Bill, urging, among other objections, that they do not know what the company propose to do with the land which they seek to acquire under the Bill; that there is no necessity for taking a good deal of it; and that if they are permitted to have this land they ought to submit to certain requirements in the interests of the parish. I admit that the petition of the Vestry does not distinctly raise the particular question which I am now bringing before the House. Had that been the case it would not have been necessary for me to have troubled the House at all with this matter. I may mention that I have been obliged to postpone this Motion in consequence of the serious illness of the chief executive officer of St. Pancras, which has prevented me from obtaining all the material I wanted. I would venture to submit to the House, as Member of Parliament for this part of St. Pancras, that I ought not to be precluded owing to any oversight or negligence on the part of the Vestry from raising now the interests of the public in the district which I represent. Perhaps I may be allowed to remind the House that the Midland Railway Company have taken a very considerable portion of public land in the parish of St. Pancras, and a considerable portion also of private property for the convenience of their line. Part of that land has been vacant for many years to the disadvantage of the general public. The least, then, that the Midland Railway Company can do is to meet the requirements of the inhabitants of the parish, who ask for a return for the advantages which the Company propose to secure for themselves under the provisions of the present Bill. I need scarcely say that the works of the Midland Railway Company have not added to the attractive character of St. Pancras, as any hon. Member will find who goes up the St. Pancras Road, or comes in contact with the works of the company elsewhere in St. Pancras, except, of course, in the case of the large terminal station, which is undoubtedly a very fine building. In moving this Instruction, I only ask that the question of making this road—a road which will be of great convenience to the public—shall be referred to the Committee upstairs. A viaduct from Leighton Road to Queen's Crescent will be of great convenience to the persons who live on both sides of the line. There is a large industrious artisan population in Kentish Town, but in consequence of not having a continuation of Queen's Crescent to Leighton Road, they are obliged to go round by Mansfield Road and Gordon House Road for near a mile, or round by the Prince of Wales' Road, or to walk through some very narrow and awkward streets intervening. I am not asking the House to make an Order at once, or to deal with the Midland Railway Company in any arbitrary way, but only to refer the matter to the Committee upstairs. In that case, if what I ask is reasonable and practicable, it will receive the sanction of the Committee, and if unreasonable or impracticable, it will be rejected. I may add that I have brought this matter forward without any ill-feeling towards the Midland Railway Company, but solely in the interests of the public, and, at the same time, with a full desire to give the company all reasonable facilities for the development of their line. I beg to move the Instruction which I have already read.

MR. R. G. WEBSTER (St. Pancras, E.): I beg to second the Motion.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to whom the Midland Railway Bill has been referred to consider the propriety of requiring the Midland Railway Company to provide, by means of a viaduct, a public thoroughfare across

their railway and works in North St. Pancras, from Leighton Road to Queen's Crescent; and, if the Committee should be of opinion that it would be reasonable and proper to require the said Railway Company to provide such thoroughfare, to insert the necessary provisions in the said Bill."—(*Mr. T. H. Bolton.*)

THE CHAIRMAN OF WAYS AND MEANS (Mr. COURTNEY, Cornwall, Bodmin): I do not rise for the purpose of denying the public convenience which would result from the proposition of the hon. Member for North St. Pancras (Mr. Bolton) if it were carried out. I have no doubt the bridge which he proposes would be extremely serviceable to those who live on both sides of the railway, but the question is, by whom is the bridge to be made, and at whose cost? The hon. Member for North St. Pancras comes before us with an Instruction to the Committee to consider the propriety of requiring the Midland Railway Company to provide, by means of a viaduct, a public thoroughfare across their railway from Leighton Road to Queen's Crescent; but, as he himself has said, he comes before the House rather late. The Committee upstairs have already been engaged in considering the Bill. The hon. Member comes here without taking any of the usual Parliamentary steps, and without being backed up by the Road Authority of the District. The Midland Railway Company are proposing to make some changes in one part of St. Pancras quite apart from the particular area which the hon. Member wishes to protect. If the Vestry of St. Pancras, when presenting their petition against the proposed works, had raised this objection, they might possibly have entered into negotiations with the company and secured some beneficial results. But the petition does not refer to this matter at all. It relates exclusively to works in South St. Pancras, where the Midland Railway Company wish to make some alteration in regard to the streets of the neighbourhood. The Vestry of St. Pancras have not asked to be heard upon the question which the hon. Member has brought before the House, and we are placed in this position—that the Midland Railway Company propose to do something in one part of the parish, whereas the local representatives object to something which has reference entirely to another part, and he is not backed up by the Local Authority. Nevertheless, he asks the House to adopt this Instruction, and to compel the Midland Railway Company really to make a bridge in another part of the parish. The Midland Company have not been consulted in the matter, nor did they see the plans until this afternoon. The Committee upstairs have already been engaged in the consideration of the Bill, and it would be an innovation of a startling character for the House, under such circumstances, to adopt the proposal of the hon. Member. As I said at starting, the bridge would undoubtedly be a great public convenience, and possibly at some future time it will be made, and the Midland Company may be got to contribute towards the cost of making it. The Midland Railway Company is a company of great activity; its works are not likely to finish this year, and probably they may have something to do in connection with St. Pancras in future years. If this Instruction were sanctioned and were to become the general rule it would probably have serious consequences.

MR. R. G. WEBSTER: Before the House goes to a Division I hope I may, as one of the Members for St. Pancras, be permitted to make one or two remarks. I quite agree with the hon. Member for North St. Pancras that a bridge from Leighton Road to Queen's Crescent would be of great advantage to a large number of the inhabitants of that part of the borough; more especially because I think the proposals now made by the Midland Railway Company will, to some extent, isolate one portion of the borough of St. Pancras from the other, and will be of great inconvenience to the public generally. I therefore think the Instruction ought to go before the Committee upon the Bill to see whether the existing evil can be remedied. At the same time, I quite agree with the Chairman of Ways and Means that it is somewhat unprecedented to ask for power to enable a Committee to consider a question which the Local Authorities in their Petition against the Bill have not raised. I venture to hope, however, that the House will allow the question to go before the Committee upstairs.

The House divided:—Ayes 67; Noes 59.—(Div. List, No. 34.)

QUESTIONS.

PRICES OF CATTLE.

MR. MAHONY (Meath, N.): I beg to ask the Minister for Agriculture whether he will take steps to collect statistics of prices realised by actual sales of cattle by live weight in the chief cattle markets of Great Britain and Ireland, and to furnish the same to Members of Parliament as a quarterly Return?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The proposal to obtain statistics of the prices of cattle as ascertained by sales effected on the basis of live weight is one which I am not indisposed to view with favour. But the Board of Agriculture has at present no machinery which could be made immediately available for the collection of such information in Great Britain, and it has not been entrusted with any powers for the collection of statistics in Ireland. We are, however, considering if it may not be possible to devise a scheme for the purpose, in concert with other Departments, or otherwise. I understand that the Commission now sitting on market rights and tolls has taken evidence on the subject, and has procured Reports from foreign countries as to their practice in this matter, and it would be well perhaps to await their recommendations before giving a more definite answer to the question.

MR. BRADLAUGH (Northampton): Is the right hon. Gentleman aware that in the evidence before the Markets Commission it was shown that weigh bridges have seldom been used either in England, Ireland, or Wales?

MR. CHAPLIN: No; I was not aware of that; and that is one of the reasons why I am desirous of waiting for the Report.

THE LABOURERS' (IRELAND) ACT.

MR. MAHONY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that up to September, 1889, a sum of £665,150 has been issued as a loan under the Labourers' (Ireland) Act, and that since that date further large sums have been sanctioned as loans under the same Act; whether there has been considerable delay in the issue of instalments caused by the insufficient number of Inspecting Engineers employed by the Local Government Board; whether this deficiency has in many cases led to a very incomplete and unsatisfactory inspection; whether in many cases the Inspectors have found it impossible properly to control the works in progress, and that, consequently, many of the houses have been badly built, in some cases mud mortar only having been used; and whether he will take steps to secure that public money shall not be used for the erection of inferior buildings?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The facts are substantially as stated in the first paragraph. The Local Government Board are not responsible for any delay which may have occurred in the issue of instalments. The principal cause of any such delay has been remissness on the part of the architects of the Sanitary Authority in not getting defects remedied when pointed out by the Local Government Inspectors. There is no information to show that in any case an incomplete and unsatisfactory inspection has been made. On the contrary, it is believed that all the inspections have been made in a thorough manner, and that full time has been given to each case. The control or supervision of the works in progress is not in the hands of the Local Government Inspectors, but of the architect or clerk of works of the Sanitary Authority. It is the case that in one union it was found that improper mortar had been used, but the Local Government Board forthwith required the work to be pulled down and rebuilt. The Local Government Inspectors exercise due diligence in their inspections, but the responsibility of closely watching the work while it is being carried on rests with the officers of the Sanitary Authority.

DR. TANNER (Cork Co., Mid): Is it not the fact that many of the houses have been found to be practically uninhabitable owing to the way in which they have been handed over to the labourers?

MR. A. J. BALFOUR: If the hon. Gentleman will put the question on the Paper, I will ask for a Report.

OUT-DOOR RELIEF IN IRELAND.

DR. TANNER (Cork, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the blind man, named James Madden, who was recently deprived of out-door relief, was, when formerly in the workhouse, granted a pass every second day to visit Dr. Sandford, an ophthalmic specialist in Cork; whether the treatment was successful, and whether Madden is now granted the same opportunity; and whether the Vice Guardians had received any medical expression of opinion on Madden's case prior to depriving him, his wife, and six children of their allowance of six shillings a week?

MR. A. J. BALFOUR: The Vice Guardians have no information as to the extern medical aid Madden may have sought when a former inmate of the workhouse. Any inmate can obtain a pass for the purpose of visiting a medical specialist. Madden has not re-entered the workhouse. The Vice Guardians' action in ordering that Madden should be admitted into the workhouse, with a view to his receiving treatment in the hospital, was supported by a medical certificate to the effect that he would be better there than at home.

DR. TANNER: Is it not the fact that this man was sent to a specialist by the order of the Guardians, and was advised to enter the workhouse so that he might receive medical treatment there?

MR. A. J. BALFOUR: I have no information as to what medical advice this man received.

DR. TANNER: Was he not sent to Dr. Sandford by the order of the Board of Guardians on the recommendation of the medical staff?

MR. A. J. BALFOUR: That is a matter upon which I have no information.

DR. TANNER: Then I will put down the Question for another day.

CRIME IN WATERFORD.

MR. WEBB (Waterford, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact, as reported, that Lord Chief Justice O'Brien was, at Waterford, on Tuesday, presented with a pair of white gloves, there being no criminal business for the whole County of Waterford to go before him; and whether, under these circumstances, the Government propose cancelling any application they have made to the county of the provisions of the Criminal Law and Procedure (Ireland) Act?

MR. A. J. BALFOUR: I am informed that it is the case that at the opening of the Waterford Assizes the Lord Chief Justice was presented with a pair of white gloves in consequence of there being no cases for trial. This, however, does not represent the true condition of that county, and the learned Judge, in his address to the Grand Jury, had to refer to a recent deliberate murder committed in the county and to the prevalence of the crimes of boycotting and intimidation. The authorities responsible for the peace of the county report that they are unable at the present time to recommend the withdrawal of the application of the provisions of the Crimes Act in force therein.

*MR. WEBB: Did not the learned Judge speak of boycotting as a crime well-known to the Common Law; and, if so, is not the Common Law sufficient to meet cases of boycotting?

MR. A. J. BALFOUR: Every crime is capable of being dealt with by the Common Law.

EVICTION AT FERMOY.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is a fact, in connection with the recent eviction of Mr. P. Shinnick, P.L.G., near Fermoy, County Cork, that a sub-tenant named Leahy was also evicted, no notice of eviction having been served either on Leahy or the relieving officer; and if it is true, as stated, that Mrs. Shinnick and her five young children were turned out upon the roadside, where they remained all night, without shelter; and whether an investigation will be made into the circumstances of the case; and, if so, by whom will it be conducted?

MR. A. J. BALFOUR: It appears to be the fact that on the occasion of the eviction referred to in the question Leahy, who was a labourer occupying a house on the farm, was evicted. I am informed that the statements in the first paragraph are not accurate in relation to

Mrs. Shinnick and her children, but are true with reference to Mrs. Leahy. Leahy and his family appear to have been allowed, on the following day, to re-enter the house from which they had been evicted, as caretakers.

MR. E. HARRINGTON (Kerry, W.): Is not the right hon. Gentleman the head of the Local Government Board in Ireland?

MR. A. J. BALFOUR: Yes; but the Local Government Board have nothing to do with cases of this kind.

SERIOUS CHARGE AGAINST AN IRISH MAGISTRATE.

MR. LABOUCHERE (Northampton): I beg to ask the Attorney General for Ireland whether his attention has been called to the report of certain proceedings at the Kerry Assizes on the appeal of Mary Quinlan against Mr. George Sandes from the decision of a County Court, for the maintenance of his illegitimate child, in which it was admitted by Mr. Sandes that, in 1882, he was a land agent for several estates, and that some disputes having arisen which led to litigation, in a place where he frequently acted as presiding Justice, he sent for Mary Quinlan, one of the parties to the litigation, and seduced her; and that, although frequently applied to for the maintenance of the child that was the result of this intercourse, he had refused to make such maintenance; and that he further would not deny that, when acting as land agent, he had had intercourse with many tenants' widows; and whether the attention of the Lord Chancellor will be called to the conduct of Mr. Sandes in this case?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The only sources open to me on the subject of this question are the reports which have appeared in the public Press. The matters of fact referred to in the question (which appear to have occurred some eight years ago) came out in evidence on the hearing of an appeal recently tried before Mr. Justice Andrews. If the matter, in the opinion of the Judge who heard the appeal, was one calling for the attention of the Lord Chancellor of Ireland, he would, I have no doubt, have communicated with him in reference to it.

MR. E. HARRINGTON (Kerry, W.): May I ask whether there were not in Court affidavits of Mr. Sandes's sister alleging misconduct, and whether the Listowel Workhouse, of which Mr. Sandes was Chairman, was not used as the nursery for his illegitimate children? Is the right hon. and learned Gentleman also aware that all the newspapers which report the case state that the learned Judge in giving his decision was not audible to the reporters? And, further, that this man seduced a servant girl in his own house. At any rate, will the right hon. and learned Gentleman consider the propriety of asking that Mr. Sandes should not be allowed to sit upon the Bench of Magistrates?

*MR. MADDEN: The hon. Member must see that these are matters which do not arise out of the question upon the Paper. He must be aware that I have no power to exercise a general censorship over the moral conduct of Magistrates. If the hon. Gentleman wishes for further information I will make inquiry.

MR. E. HARRINGTON: Is it not the fact, admitted by Sandes himself, that the seduction of this girl took place in his own house, upon an occasion of her going to him, upon receiving an intimation from him that he was to preside on the Bench when a case concerning her was to be brought on?

*MR. MADDEN: No doubt there were certain discreditable matters brought to light in the course of a civil trial; but it is no part of the functions or duty of the Attorney General to interpose in such cases.

MR. SEXTON (Belfast, W.): I venture to think that the House will expect some further reply. This person, who is still a Magistrate, has made grave admissions of systematic seduction. Will the Government continue to ignore these facts, or will they call the attention of the Lord Chancellor to them? The fact that this man is still a Magistrate is a scandal.

*MR. WEBB: Did not Sandes swear that he had not seduced 20 girls, but that he would not swear that he had not seduced 12?

*MR. MADDEN: I have no doubt that if the Judge thinks it necessary the facts will be laid before the Lord Chancellor, if they have not already reached him.

MR. J. MORLEY (Newcastle-upon-Tyne): This is clearly a matter not unconnected with law and order in Ireland. I ask the Chief Secretary whether he will call the attention of the Lord Chancellor to the matter?

MR. A. J. BALFOUR: The question was not put to me, and I never heard of this matter before. As the right hon. Gentleman knows, the jurisdiction does not rest with me, but with my right hon. Friend the Lord Chancellor of Ireland. I shall, however, be glad to call his attention to the matter, if that has not already been done.

MR. E. HARRINGTON: Is not this one of the three persons who are alleged to have been boycotted in Kerry?

*MR. SPEAKER: Order, order! That has nothing to do with the question.

WEIGHBRIDGES FOR CATTLE.

MR. MAHONY: I beg to ask the Lord of the Treasury whether he is aware that the weighbridge in the Glasgow Cattle Market is so situated that cattle, in order to be weighed, have to be driven through that portion of the market allocated to horses exposed for sale; and in view of the fact that the inconvenience and danger consequent is so great that many persons desirous of having their cattle weighed are unable to do so, would he consider what means there are of enforcing the law which requires that suitable weighing machines should be provided?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I am informed that the situation of the weighbridge in Glasgow Cattle Market is as described in the question. No complaints have ever been made to the officer in attendance at the Market. If representationsare made to the Market Authority by any persons who are inconvenienced by the present situation I have no doubt they will receive consideration.

EFFECTS OF IMPRISONMENT.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a case mentioned in the last Report of the Prison Commissioners (Part 1, page 45), viz., the case of T. D., who was sentenced to "two years and one year hard labour," and after serving over 25 months of his sentence was released upon a medical certificate of "general debility," originating after his reception into prison; by whom, at what Court, under what circumstances, and for what offence was this sentence imposed; and has he taken, or will he take, any steps in the matter?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): It is the practice of the Home Office, after a prisoner has been two years in prison, to call for a full Medical Report as to his condition, and the probable effect of the imprisonment upon him. In the present case the Home Office called for a second Medical Report, and upon that Report released the prisoner.

SCOTTISH PAROCHIAL BOARDS.

MR. HOZIER (Lanarkshire, S.): I beg to ask whether, with reference to Section 78, Sub-section (1), of "The Local Government (Scotland) Act, 1889," it is necessary for the representative of a Parochial Board on a District Committee to be a member of that Parochial Board?

SIR H. MAXWELL: In reply to this question, I have to inform the hon. Member that, according to the Lord Advocate's construction of the clause referred to, the representative need not necessarily be a member of the Parochial Board.

HONG KONG.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to some Ordinances recently promulgated by the Government of Hong Kong for the regulation of prostitutes, especially to Sections 30 and 31, which make it the duty of the Registrar General of the colony to keep a permanent record of immoral houses and of their female inmates, in the same manner as marriages are registered, and that his office must be furnished with a photograph of each; whether he is aware that anyone daring to open an unlicensed house is liable to severe penalties, and whether Section 56 of this Ordinance actually empowers the "Governor in Council" to take steps to provide for the safety and escape of inmates in immoral houses "in case of fire;" whether women are given to understand that they are

expected by the officers of the law to go up as usual for periodical inspection, and that they do so; and, whether the officers under the new Ordinance are the same as those under its predecessor?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): An Ordinance has been passed by the Government of Hong Kong, containing the provisions referred to in the 1st and 2nd paragraphs of the hon. Member's question, but the Secretary of State has directed that it should be amended in respect of several of its provisions. The Secretary of State has decided that the system of registration and supervision of brothels should be maintained in Hong Kong (as in the Straits Settlements), because it is regarded as a valuable means of checking the too general practice of kidnapping girls, and brothel slavery. The Ordinance repeals the law relating to the compulsory medical examination of women, and it has been clearly explained to the women that they need not attend for examination unless they wish to do so. Some women do voluntarily so attend from time to time, but not at fixed intervals, or on any specified days. Some of the officers under this Ordinance are the same as under the repealed Contagious Diseases Ordinance, but their duties are differently defined.

MR. R. G. WEBSTER: Is not the right hon. Gentleman aware that owing to the intense heat of Hong Kong, and the mode in which the houses are constructed, fires often spread with terrible rapidity, and result in considerable loss of life; and if it is not desirable that steps should be taken in the shape of issuing an Ordinance, or otherwise, to prevent the inhabitants from being roasted alive?

BARON H. DE WORMS: The latter part of the question of the hon. Member is self-evident, and in regard to the former part I have no information. I will inquire if the hon. Member will put the question on the Paper.

*MR. WINTERBOTHAM (Gloucester, Cirencester): The right hon. Gentleman has not answered that part of the question which relates to photographs. Is it true, as suggested in the question, that photographs of all unfortunates are required compulsorily to be sent to the officials?

Mr. Samuel Smith

BARON H. DE WORMS: I have no information on that point.

THE SHOPKEEPERS' HALF-HOLIDAY BILL.

SIR JOHN LUBBOCK (London University): I beg to ask the Secretary of State for the Home Department with reference to his reply to the deputation which waited on him last week, whether Her Majesty's Government could give an opportunity for the discussion of the Shopkeepers' Half-Holiday Bill, and whether he will support the Second Reading?

MR. MATTHEWS: The only assistance that the Government are able to give to the right hon. Baronet is to suggest to my hon. Friend the Member for Camberwell that he would do well to allow the discussion on the Second Reading of the Bill to take place on any evening when the right hon. Baronet can bring it on, and to continue without objection after 12 o'clock. The question raised by the Bill is one which the Government think should be left to Members on all sides of the House to decide for themselves without any interference of Party influences.

*MR. J. KELLY (Camberwell, N.): The right hon. Gentleman means the Member for Dulwich (Mr. Blundell Maple) and not the Member for Camberwell.

THE DEER AT HAMPTON COURT.

DR. TANNER: I beg to ask the First Commissioner of Works if it is a fact that the 500 deer which have for years past been maintained in the Home Park, Hampton Court, are being removed; whether the allegation is correct "that the authorities are actuated in this step by economical reasons, and that cattle are for the future to be reared in these beautiful pastures," and what other reasons have occasioned the change?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): The deer which have been heretofore maintained in Hampton Court Park are being removed, some of them to Bushy Park and some to Richmond Park. The grazings will continue to be let to the Master of the Horse, as at present, but at an increased rent. There will be a net gain to the Exchequer of about £600 a year.

DR. TANNER: Is that in the interests of economy?

NEWFOUNDLAND FISHERIES.

MR. GOURLEY (Sunderland): I beg to ask the Under Secretary of State for Foreign Affairs whether an arrangement has been concluded between the French and British Governments relative to the Newfoundland lobster fishery disputes; if so, will he be good enough to state the nature of the *modus vivendi*, and whether permanent or temporary?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I stated yesterday that an arrangement in the nature of a *modus vivendi* had been arrived at; also that it was for this season only. It provides that such lobster factories as were in existence last year may be continued for the present, the Naval Commanders being arbiters in case of disputes: in other words, it maintains the *status quo*, questions of principle and of respective rights being entirely reserved. New lobster fisheries can only be established by joint consent of the British and French Naval Commanders, and for each new fishery so permitted to one nation, permission is to be granted for a new fishery to the other.

REV. J. DOBIE'S IMPRISONMENT.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the following passage in the *Scotsman* of 18th March:—

"We are informed by an Aden correspondent that the Reverend J. Dobie, Army Chaplain of the Church of Scotland in India, on returning to the coast from a recent tour of philological research in the interior of Arabia, was, without cause or explanation, thrown into prison in Hodeidah, on the Red Sea, and detained there by order of the Turkish Authorities until released by the British Consul. We understand that to redress the wrong done to the reverend gentleman the General commanding at Aden instantly dispatched the gunboat *Reindeer* to support the Consul at Hodeidah in demanding the immediate dismissal of the Governor who had ordered Mr. Dobie's imprisonment."

Whether he can state the reasons Mr. Dobie was thrown into prison; how long he was shut up, and what his treatment was while so incarcerated; whether he is entitled to compensation for the said imprisonment; and whether he can state where Mr. Dobie now is?

SIR J. FERGUSSON: We have not yet received information of the occurrences mentioned. My hon. Friend will see by the dates that no letters could have reached us, and as the British Authorities on the spot appear to have done what was necessary there was no occasion to refer home by telegraph.

MR. MARJORIBANKS: I beg to give notice that I will put another question on the subject on this day week.

NONCONFORMIST FUNERALS.

MR. BOLITHO (Cornwall, St. Ives): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the refusal of the Vicar of Madron to permit a funeral to be conducted by a Nonconformist minister in the churchyard on a Sunday, and to the language (depreciatory of Nonconformists) alleged to have been employed; and whether such refusal was legal?

MR. MATTHEWS: Yes, Sir, my attention has been called to this matter. The Vicar denies that he refused to permit the burial on Sunday. The son of the deceased proposed first an hour which was not within the statutory limit of time, and next an hour which interfered with the afternoon service, and the Vicar objected in writing for that reason, as he was entitled to do under the 3rd section of the Burials Act. Judging from the facts, as I have ascertained them, the Vicar does not appear to have acted illegally.

THE EDUCATION CODE.

MR. SUMMERS (Huddersfield): I beg to ask the Vice President of the Committee of Council on Education when the Education Code, which was laid upon the Table in dummy on 10th March, will be in the hands of Members; and whether the days which have already run will form part of the statutory period during which it must lie upon the Table before it acquires the force of law?

THE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Code will, I hope, be ready for distribution before the House rises for Easter. It is not proposed to take any

action thereon until Parliament and the country have had sufficient time to study and discuss its provisions.

LOWER DIVISION CLERKS.

MR. JOHN KELLY: I beg to ask the Secretary to the Treasury if he would state in which Government offices the Lower Division Clerks still remain on the six-hour system; and whether those Departments have already submitted, or will be at once invited to submit, schemes for placing those Lower Division Clerks on the seven-hours system, so that all such clerks may, in accordance with the recommendations of the Royal Commission, stand on the same basis?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): It is the intention of the Government to apply the seven-hours system to all Departments as opportunity offers.

THE LIVERPOOL STRIKE.

MR. PHILIPPS (Lanark, Mid): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the action of the Liverpool magistrates in calling troops into the town, and thereby running the risk of provoking a collision with the strikers; and, whether there have been any disturbances in connection with the strike to render such a step necessary?

MR. MATTHEWS: Yes, Sir. I was informed by the Mayor of Liverpool on the 17th inst. that the Chief Constable had reported to him that it was possible that acts of violence might occur which could not be met by the force under his command; and that the Mayor, after a personal investigation of the matter, having arrived at the same conclusion, had summoned a meeting of the City Justices, who passed a resolution to the effect that it would be desirable to have a force of infantry near at hand, and a force was accordingly requisitioned by the Mayor. According to the last information which I have received, everything is quiet at Liverpool.

MR. COBB (Warwick, S.E., Rugby): Can the right hon. Gentleman say whether it is true, as reported in the newspapers, that before calling out the military, the Mayor consulted Her Majesty's Judges who happened to be on circuit at Liverpool, and if it is part of their duty to advise magistrates on such an occasion?

MR. MATTHEWS: I only know the fact from what I have seen in the newspapers. I have received no information upon it.

THE CASE OF JOHN DALY.

MR. SEXTON: I beg to ask the Secretary of State for the Home Department whether he has yet any information to communicate with respect to the inquiry into the case of the treatment of the prisoner John Daly?

MR. MATTHEWS: I received a letter from the visitors on the 17th inst., in which they informed me that they had already held three sittings for the purpose of inquiring into the medical and general treatment of John Daly and other prisoners in Chatham Prison. The visitors find it necessary to examine a large number of the prison officials, and they will probably have to hold three or four more sittings in order to complete their inquiry and prepare their report, and as their other duties render it impossible for them to sit *de die in diem*, some little time must necessarily elapse before the inquiry is concluded, but they trust that their report, and the evidence on which it is based, will be in the possession of the Home Office before the House re-assembles after the Easter Recess.

MR. SEXTON: Who are the visitors?

MR. MATTHEWS: The County Court Judge of the district, Sir John Lennard, and two other gentlemen whose names I do not remember.

THE *BARRACOUTA*.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Admiralty whether it is a fact that the sufferers in the recent accident to the *Barracouta* were first landed at Sheerness, and from thence sent to Chatham, although there are plenty of doctors and ample hospital accommodation at Sheerness; and whether this is the common practice in case of accidents at Sheerness; and, if so, whether he will at once take steps to prevent such unnecessary suffering?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): One man, in too critical a condition to bear removal to Chatham, was

admitted into the Infirmary of the Naval Barracks at Sheerness. The other nine men were not landed at Sheerness; but, after being fully attended to and their injuries properly dressed, were conveyed to Chatham Hospital by special steamer under the immediate care of two medical officers. It is not customary to send Naval patients to the Military Hospital at Sheerness, as it only contains 36 beds, and there were only 11 vacant on the day of the accident to meet the Army requirements. In the case of accidents occurring in the Dockyard at Sheerness, it is usual in the first instance to send patients to the Naval Barracks Infirmary; but in the case of accidents on board ship the patients are sent to Chatham Hospital when their condition permits removal.

THE TITHES BILL.

MR. CORNWALLIS WEST (Denbigh, W.): I beg to ask the First Lord of the Treasury whether Her Majesty's Government will consider the desirability, in view of the extreme complexity of the question, of proceeding only with those portions of the Tithe Bill which relate to the substitution of County Court process for the existing remedy by distraint, and will consent to the appointment of a Royal Commission to inquire into and report upon the necessity for the revaluation of the tithe in any, and what, districts in England and Wales?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Her Majesty's Government have given careful consideration to the many suggestions made to them on this vexed question, and they have come to the conclusion that it is necessary to proceed with the Bill as it has been submitted to the House.

MR. J. MORLEY: When will the Second Reading of the Tithe Bill be taken?

*MR. W. H. SMITH: I hope that it will be taken on Thursday next.

THE ALLOTMENTS BILL.

MR. WINTERBOTHAM: Will the First Lord of the Treasury give two or three days' notice before the Second Reading of the Allotments Bill?

*MR. W. H. SMITH: I hope, Sir, with the assistance of hon. Gentlemen on both sides of the House, we shall be able to read this Bill a second time. It is obvious that Amendments on the Bill must be proposed in Committee. I hope it will be possible to read the Bill a second time before Easter; but, having regard to the introduction of the Irish Land Bill on Monday, and the Second Reading of the Tithes Bill on Thursday, I am not able to say precisely when it will be possible to take the Allotments Bill. I hope the hon. Member will not object to its being taken as the Second Order on any day on which it may occupy that place.

MR. COBB: Does the right hon. Gentleman mean that it will not be taken on Monday?

*MR. W. H. SMITH: No, Sir; I do not mean that. If there is no prolonged debate on the Land Bill I trust it may be taken on Monday as the second Order

MR. COBB: I think it would be satisfactory to hon. Members if the right hon. Gentleman will say that it will not be taken after 10 o'clock on Monday.

*MR. W. H. SMITH: It would be a great convenience if the hon. Member could assure me that the debate on the introduction of the Land Bill will be concluded before 10 o'clock on Monday. In that case I could give him the assurance he desires.

THE EASTER HOLIDAYS.

MR. ESSLEMONT (Aberdeen, E.): On the part of hon. Members who come from a distance, I wish to know whether the right hon. Gentleman can state when the Easter holidays will begin and end?

*MR. W. H. SMITH: It must depend on the duration of the debate on the Tithe Bill. We cannot adjourn until that Bill has been read a second time.

MR. ESSLEMONT: Then if the Bill has not passed that stage before, are we to sit on Good Friday and over Easter Monday?

*MR. W. H. SMITH: I know the importance which the hon. Gentleman attaches to Good Friday, and I should be sorry to keep him at the House on that occasion. I cannot believe that the debate will be so protracted as to require the House to sit on Good Friday.

EMIGRATION AND IMMIGRATION.

Copy ordered—

"Of Statistical Tables relating to Emigration and Immigration from and into the United Kingdom in the year 1889, and Report to the Board of Trade thereon."—(*Sir Michael Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 103.]

INDIAN COUNCILS BILL [LORDS.]

Bill read the first time; to be read a second time upon Monday next, and to be printed. [Bill 197.]

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

HEREDITARY LEGISLATORS.

(4.10.) MR. LABOUCHERE, on rising to move—

"That, in the opinion of this House, it is contrary to the true principles of representative Government, and injurious to their efficiency, that any person should sit and vote in Parliament by right of birth; it is therefore desirable to put an end to any such existing rights,"

said: I may remind the House that I have brought this question before the House on four occasions. On the first occasion I was counted out. In 1885, I brought it forward again, and on that occasion the Motion was adopted by a considerable number of Members on my side of the House, but the leaders of the Liberal Party held aloof from it, and, if I remember rightly, voted against it. I again brought it forward in 1888, when I was more fortunate, for not only was the Motion adopted by the entire Liberal Party, but it was voted for by our official leaders in this House. In 1889 I again brought it forward, and the Resolution was ratified by the adherence of the Liberal Party and its leaders. Of course, I can hardly think that the leaders would vote for a Resolution in Opposition which they would not support when they hold the responsibility of office. I therefore take it that this incubus will disappear with the disappearance of the Tory majority which now restrains all legitimate and proper Liberal action in this House. I have been told that my Resolution is not within the area of practical politics, and that the discussions to which it gives rise are academic. Considering the progress the Motion has made, I do not think it can be called academic, nor can it be said that the question is beyond the area of practical politics. In reply to the question why, being so sure, do I continue year after year to slay the slain, and that it might be as well to wait until we have a majority, knowing that the majority would then know how to deal with the question, I say first that, although I have the greatest confidence in my leaders, I think in a matter like this it is just as well to keep their memory green, and in the second place, I wish to convey to the constituencies the tidings of great joy that in voting for a Liberal Party they are voting against the House of Lords. This, I think, will stimulate their zeal and increase the majority at the next General Election. I have always thought that our programme has not been sufficiently thorough, and I have endeavoured as far as I could to accentuate the differences politically between ourselves and the Party opposite. I have been greatly struck with the poverty of the arguments against my Resolution. Some Gentlemen have held that hereditary legislators make so perfect a second branch of the Legislature that it is impossible to conceive anything better in this fallible world. The arguments are of that fetish kind only worthy of an African savage defending his false gods. I found on the last occasion Members of the Government taking this view of the matter. The Chief Secretary for Ireland said that he objected to the Motion not merely on its merits—he objected altogether to the abolition of the hereditary principle. Why? Because, he said, the English people had received this inestimable treasure from their ancestors, and they would not be guilty of the midsummer madness of destroying it. *Petitiones principii.* The right hon. Gentleman is not only an eminent politician, he is an eminent philosopher. He has got only one follower as a philosopher, and I am that follower. The noble Lord opposite (Lord Cranborne), the son of an eminent Prime Minister, and the descendant of

one of the most eminent of Elizabethan statesmen, went even further in his fetish-like admiration of the House of Lords than the Chief Secretary for Ireland. He said that society is constituted on the elementary principle of a man being the son of his father. The noble Lord declared this in consequence of the doctrine that political society ought to be constituted on the principle of a legislator being the son of a legislator—a principle which he much preferred to the elective system. The noble Lord did not like the elective system, under which he said that candidates give pledges which they do not understand, and vote for measures in which they do not believe. Nobody has a better right than the noble Lord to speak for the Conservative Party, and it is interesting to learn the Conservative view of the elective theory. This accounts for a good deal of what is said and voted on the other side. Another proposal is to qualify the hereditary principle by restricting the number of Peers sitting in virtue of that principle to those who are elected by their own order. A hereditary right to legislate is absurd, but a hereditary right to choose legislators is still more absurd. The property qualification has been done away with in the House of Commons, and I do not believe the country will have a hereditary qualification for the other House. It is argued that if Peers are deprived of the power of legislation they ought to have a *quid pro quo*. That suggestion reminds me of the proposal to compensate the owners of rotten boroughs in a former generation on their abolition. To these hereditary Peers it is proposed to add a number of nominated Peers. My view is that a system of nomination would be as pernicious as the hereditary principle itself. It is as absurd as it would be for a plaintiff or defendant to nominate his own jury. It would also lead to the undesirable result referred to by the hon. Member for Southport (Mr. Curzon) of having two classes in one Chamber, especially if, as has been suggested, the nominated members were to be dissenters and labourers. Then it is proposed that representatives of the colonies should be added. Well, I have never discovered that any colony wants to be represented in the Upper Chamber; they prefer their own autonomy, to which such representation would be inimical. I cannot see what good would come of a Marquis of the Cape of Good Hope or an Earl of New Zealand. The most notable suggestion comes from Lord Dunraven, who has proposed a sort of moral censorship, excluding the black sheep. This idea will be familiar to Scotch Members in connection with the kirk. For myself, I have never attached much force to the black sheep argument, though it is rather ridiculous that a man who has been warned off a racecourse and expelled from the Jockey Club, should come down here to legislate for the people of England by hereditary descent. I have always thought, however, that the private moral character of the Peers is a matter that concerns themselves, and that we are only concerned with the political functions they exercise. There are black sheep in every assembly, and the consideration of a man's private character is irrelevant. It may seem to be a paradox, but it is, nevertheless, true that a most dissipated disreputable hereditary scamp who votes right does less mischief than a model of domestic virtue and moral excellence who votes wrong. My right hon. Friend the Member for Newcastle (Mr. J. Morley), the author of that excellent phrase, "We must end or mend the House of Lords," has come forward as a reformer of the House of Lords, and advocates the giving to a man the option to appear in which House he should sit. My right hon. Friend clearly thinks that all the capable Peers would choose the Lower House, and he aims, no doubt, at making the House of Lords the House of Fools, so ridiculous that it would fall to pieces of itself. This plan is too much of the "Dilly, dilly, come and be killed" character, and the Peers would never assent to it. I should oppose any such scheme on the ground that it would give too great an advantage to Peers. My right hon. Friend will remember that Mirabeau, who was a Peer of France, gained his immense influence in the early period of the French Revolution by electing to represent the Third Estate. He gained an immense reputation from the mere fact that, having been a nobleman, he preferred and was ready to come forward as the representative of the Third Estate. No, Sir, I maintain that the right to sit

here must involve the absence of a right to sit in the House of Lords. The *non possumus* argument is frequently urged against my proposal. It is urged that the House of Lords would not consent to the mutilation of its own privileges, and to sign its own death warrant. The course threatened at the time of the first Reform Bill, namely, that of creating fresh Peers, would, however, be quite sufficient to overcome this difficulty; and the threat, without its performance, would probably, as then, be quite adequate to its purpose. It is absurd to suppose that the House of Lords would be able to hold its own against the clearly-declared will of the people. Hereditary legislators are an absurdity. It is, of course, said that the system works well. In my opinion it works exceedingly ill. Is there a single reform, and I speak of those reforms which have been passed and which are now admitted to be useful, is there a single one of them which the House of Lords has not opposed? The House of Lords has opposed every single measure which is considered useful to the country at the present moment. The House of Lords always acts unfairly in its functions as regards the two Parties in the State. I think it will be admitted that the main function of the Upper House is to bring about an appeal to the people if the Lower House exceeds its mandate, violates its pledges, or loses the confidence of the nation. If the Upper House were to fulfil that function fairly and impartially, there would be certain advantages in its existence. But I believe it would be beyond the wit of man to find a number of men who would perfectly fulfil such a duty, and I am certain they have not been found in the House of Lords. Suppose a Tory Government loses the confidence of the nation. As far as the Lords are concerned it can do so with absolute impunity. When the Tories are in Power that peculiar function of the Lords is absolutely in abeyance, and it is necessarily in abeyance because the permanent majority there is of the same colour as the temporary majority here. Then let us suppose a General Election, with the Tories anxious to get in, and a proposal being made on the part of the Liberal Government for a Land Purchase Scheme with an Imperial guarantee. The Tories, let us say, have pledged themselves absolutely against such a scheme, but the election having gone in their favour, they at once propose a Land Purchase Bill with an Imperial guarantee. Will hon. Gentlemen say that the House of Lords would throw out such a Bill? Not at all. Again, let us suppose a Liberal Government anxious to abandon coercion and to pass a Home Rule Bill, and the Tories equally opposed to coercion and saying that they would not grant Home Rule. If the Tories succeeded to power, and brought in a Home Rule Bill in this House, would the House of Lords throw it out? Hon. Members know the Lords would do no such thing. I will put on a third supposition. Let us suppose a Tory Ministry has been in power three years, that they have associated themselves with disreputable persons in circulating forgeries, and when these documents have been proved to be forgeries have refused to denounce their associates; let us suppose that all the bye-elections have gone against them and that the people of England are anxious to get rid of the Government; under such circumstances would the House of Lords say they would do their best to promote an appeal to the people? We know perfectly well that the House of Lords would do no such thing. Any hon. Gentleman who doubts it has only to go into the House of Lords at the present moment, and there he will find a Prime Minister engaged in bringing forward a Resolution which his Colleagues in this House have already passed against the protests of the Liberal Party. Let us suppose again a great Liberal measure has been put before the people, that it has been discussed *ad nauseam* in the Press for seven long years, that an election has taken place, that the Liberals have got a majority, and then brought in a Bill to give effect to their promises. Would the Lords pass the Bill if carried in this House? So far as one can see they would at once throw it out in order to force a second election, in the despairing hope that they would weary out the feeling of the entire country in favour of the measure. A Government requires freedom of action, and ought to have it so long as the country is with it, but the Peers will not allow it. The Government said that compensation for disturbance was necessary to maintain law and order,

but the House of Lords would not have it, and the Government was obliged to fall back on coercion. The Liberal leaders are twitted with having had recourse to coercion, but that is the case only when the measures they project are interfered with by the House of Lords. That interference is not confined to throwing out Bills; it is perpetual and persistent. In fact, the policy of a Liberal Government has to be a species of compromise. When a Bill goes before a Liberal Cabinet, and it is suggested that it should be made stronger, the Lord Chancellor will at once say, "Oh, no; for if you do we cannot get it through the House of Lords." Whenever an Amendment is suggested in the House of Commons the answer of the Government is—"Oh, pray do not urge it; no doubt the Bill would be the better for it, but if you carry it we shall not be able to get it through the House of Lords." Then there is a double watering down. The Bill goes up to the House of Lords, which inserts some clauses and omits others. A sort of bargain is therefore made. Some of the Amendments are accepted by the Commons, and the Bill is passed in such a shape that it can hardly be called a Liberal Bill at all. If the Lords were actuated by patriotic motives one could not complain, but they are actuated by personal and class motives. I know it is frequently said that an Upper House should be Conservative in the true sense of the word. That I fully admit, but I complain that the House of Lords is a Conservative House, thoroughly and essentially, in the Party sense of the word. The leaders in the House of Lords are partisans, and when they find their opponents in power, they seek to put them out—for the good of the nation they say, and they probably think so, but they also desire to put themselves in their opponent's places. They are personally interested, as also are the rank and file. There are many political salaries divided among Members of the House of Lords, and there are also social salaries. One noble Lord gets a salary for galloping after Her Majesty's dogs, another receives £2,000 a year for walking about with a stick. There are six or seven noble Lords paid for these things, and they fight for the places in a wonderful manner. Some of them have places connected with the Bed Chamber. I think there are a number of these offices which are given for Party fidelity. If you examine into the matter you will find that these Gentlemen have done nothing exceptional for their Party; they have voted straight, and probably given considerable sums for Party organisation, and yet they have spread themselves over the Civil List—and I have always thought that Ministers should not encourage the idea that the Monarch expends all the money granted for the Civil List, but should give the public to understand that a large amount of it goes to noble Lords in this way. Last year it was proposed to give a large sum for the maintenance of the children of the Prince of Wales, and it was then suggested that that should be done by abolishing some of these places—by taking away salaries given to noble Lords for doing nothing, and devoting them to the purposes for which they were then intended. The Government opposed it. They knew the value of their hereditary proposition, and they knew they would hardly be able to carry on the business of the country unless they were able to pay these Gentlemen for doing perfunctory duties. Then there are a great many incidental advantages accruing to Members of the House of Lords. There are three Orders of Knighthood—the Garter, St. Patrick, and the Thistle; these are distributed largely among noble Lords, not for any merit, but for Party support. Beyond this, there are Lord Lieutenancies, and all sorts of jobs for the benefit of friends and relations of noble Lords. Look at that [the Ministerial] Bench. I do not wish to make any invidious observations as to this Gentleman or that Gentleman, but Members below the Gangway on the other side will agree with me that there are Gentlemen on the Front Ministerial Bench who are there solely because they are relatives of great Magnates in the other House—Gentlemen receiving, perhaps, £5,000 per annum, who, in any other walk of life, would find it difficult to earn £500. But this is not all. Concessions are granted to noble Lords. A concession in South Africa was recently granted, the market value of which is about £3,000,000, and it is a remarkable fact that the two most prominent persons among those on whom it was conferred, were a Liberal Unionist Duke

and a Tory Duke. Does anyone suppose that if the Liberal Party had been in power, these Gentlemen would have got this concession? It would have been given—but they would not have got it. When the Tories are in power, if a member of a Peer's family is suspected of crime, the Lord Chancellor, the Prime Minister, and the Attorney General put their heads together to get him out of the country in order that he may not be punished. [*Cries of* "Oh, oh!"] Yes, hon. Gentlemen opposite meet charges in that way. They meet them with a direct denial. And when a Member of the Upper House makes a denial on the subject, we in this House are not permitted to question that denial. The fact is the House of Lords play with loaded dice against the Liberal Party. When the Liberal Party are in office they practically have to share power with a Committee of the Carlton Club, and it is to those gentlemen that we have to submit our measures. What would hon. Gentlemen opposite think if, when the Conservative Party is in office, it should have to submit its measures to the approval of a Committee of the National Liberal Club? Yet one thing is not more outrageous than the other. The Chief Secretary for Ireland recently described the House of Lords as "a most inestimable treasure." No doubt it is a most inestimable Tory treasure. That is why I am opposed to it. We are very foolish if we accept this tutelage on the part of the Carlton Club. Why have we done so for so long? It has always been a matter of wonderment to me, but I suppose the reason is that the democracy has only of recent years made real progress, and that formerly both Parties in the House to a great extent consisted of rival bands of aristocrats fighting for power. Both sought profit and power from the House of Lords. In those times there were Gentlemen in this House who called themselves Liberals who were actually anxious to become Members of the House of Lords. Of course that will never occur again. No hon. Gentleman now sitting on the Front Opposititon Bench will ever dream of making one of that body. All hon. Members on this side have assented to the principle embodied in this Resolution, and are agreed that the hereditary principle is injurious in its effects. At the present moment democracy has become a power. The people claim to rule, having acquired the right to do so, and they have no idea of allowing 600 persons to interfere with their will, still less 600 hereditary Gentlemen belonging to one class, actuated by strong personal interests, and many of them receiving large salaries. The House of Lords in its essence is antagonistic to the principles of democracy. Its existence is incompatible with the democracy, because the corner stone of the democracy is the principle that the laws should be made by the representatives of the people who have to obey them. In order to see how much the House of Lords is out of touch with the country, let us consider what would take place if the Liberal Party was returned in a majority to this House and proceeded to deal with the question of Home Rule? How many Members of the House of Lords are in favour of Home Rule? ["Hear, hear" *from the Ministerialists.*] "Hear, hear," say hon. Gentlemen opposite. Some 10 or 20, and I am afraid they would require to have the prospect of large salaries to be in favour of it, so that the result would be that practically one entire branch of the Legislature would be intriguing against and refusing to legislate in accordance with the wishes of the majority of the House of Commons and of the country. Take another plank of the Radical platform. How many Peers are in favour of Disestablishment and Disendowment of the Church of England? Very few I should think. Take, again, the question of an Amendment of the Land Laws. How many Peers are in favour of that? Uncommonly few; and as years pass the antagonism between the House of Lords and the House of Commons is becoming more and more accentuated, for the one remains unchanged and the other progresses. Perhaps some hon. Gentlemen, even on the Liberal side of the House, do not appreciate the strength of the movement against hereditary legislators. There is not a Liberal Association throughout the country that is not ready to pass a resolution in favour of such a Motion as this. There is not a public meeting of the Liberal Party at which a suggestion to sweep away the hereditary principle is not received with acclamation, and there is not a constituency in which a man would be accepted as a

Liberal candidate if he refused to pledge himself to the abolition of that principle. ["No, no" from Captain VERNEY.] The hon. Member did not pledge himself. If I have my eyes off one of my hon. Friends, see what follows. I am Chairman of the Liberal Association at Olney. Everyone in that Association is in favour of this Resolution, and yet because I trusted the hon. Member and regarded him as a good Liberal, and did not look after him at the election in North Buckingham, he has deluded the Association of which I am Chairman. I hope the hon. Member will amend at the next election, and express himself in accordance with the views of his own constituents, of whose Association I have the honour to be Chairman. Hon. Members opposite will no doubt enjoy their "inestimable treasure" so long as they remain in office, but they cannot hope always to bask in the sun of power, and that we shall always be in the shade of Opposition. The Liberal Party is pledged against this hereditary power of legislation, and upon their return to office will certainly proceed to deal with the question. I beg to move the Amendment of which I have given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is contrary to the true principles of Representative Government, and injurious to their efficiency, that any person should sit and vote in Parliament by right of birth; it is therefore desirable to put an end to any such existing rights,"—(*Mr. Labouchere,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(4.57.) MR. ATHERLEY-JONES (Durham, N.W.): I am afraid the hon. Gentleman who has just sat down has left very little for me to add in support of his Motion. I would remind hon. Members opposite that the Motion does not aim at the abolition of the House of Lords, but at its modification by amplifying the system of life peerages which, with the consent of both parties, was an innovation introduced some years ago. Up to 1832 the two Houses were, no doubt, in harmony, owing to the composition of the House of Commons being more or less aristocratic, like the Upper House, but all that has been changed. Since the Reform Act of 1832 the democratic elements have entered more and more into its composition and have become the preponderating elements on both sides of the House of Commons. I cannot do better to show the change which has come over the relations between this House and the House of Lords than to quote the words of a very distinguished writer on Constitutional history, who says:—

"Since the Reform Bill of 1832 the House of Peers has ceased to be the House of latent directors of our policy, and has become one of typical objectors and palpable alterers."

It might be argued by those who view this question from an opposite point of view to myself—by the hon. Member for Southport, for instance, from whom I trust we shall have the advantage of hearing an address of equal value to that we had from him on a previous occasion—that the House of Commons possesses full and complete power over the House of Lords. That has become an established Constitutional usage, and if this House chooses to insist upon the passage of a measure, that measure, although it may be delayed, will be ultimately passed. But that is not all, as my hon. Friend pointed out, for if the House of Lords should determine to resist—as they very nearly did on the occasion of the Reform Bill of 1832—if they determine to resist to the bitter end the passage of a particular measure, then there is power in the Crown to appoint a sufficient number of Peers to secure the passage of the measure. But I submit that the mere act of the House of Lords eventually giving way in such cases is not a sufficient answer, because that House often delays measures of importance, and has delayed them to an extent which is fraught with serious consequences. I know the House is not fond of quotations, but I have here a few lines written by a great Constitutional lawyer, pointing out that, in the discharge of its onerous and important duties (to wit, the resistance of useful legislation), the House of Lords had maintained its independence and vindicated its responsible position as a branch of the Legislature by successful defence of the revenues of the Irish church, and its Amendment of the Municipal Corporations Bill, and its protracted and

spirited opposition to the repeal of the Paper Duty. A more conclusive indictment against the House of Lords for delaying measures of the first importance could not be quoted, and these words might well have been written in a spirit of irony instead of in a spirit of praise. Moreover, the House of Lords not only delays, but frequently mutilates measures, and has so mutilated many Bills passed by the House of Commons as to destroy their aim and most valuable characteristics. I may mention as instances of this the Municipal Reform Bill and the Merchant Shipping Bill, the Lords insisting on the retention in the latter measure of provisions which are a source of great danger to the seafaring population. But my case does not rest here; we have further to complain that they reject valuable measures, which, however, are not of such importance as to cause an outcry in the country. A valuable measure which has been sometime before the country would, I believe, have been long since passed into law but for the Bishops in the House of Lords—the Marriage with a Deceased Wife's Sister Bill. This is one of the most notable instances of a small measure being destroyed by the House of Lords' action. What are the arguments urged in favour of the House of Lords? It is said that that House is a revising body—that they are able to give that care and attention to detail which the House of Commons, with the great legislative pressure upon it, cannot devote to a measure, and that they thus prevent hasty and immaturely considered legislation. But I would point out that, admirably as this function is performed by many able men in the House of Lords, this duty may be done with equal facility and with equally good results by a small Committee of specialists appointed by the House of Commons. It is urged that the Peers stop hasty legislation. I challenge hon. Members to mention one case in which a measure, hastily passed by this House, has been rejected by the House of Lords, and in which rejection they have been ultimately sustained by the House of Commons. There is no such case; there is not an instance in which they have prevented ill-considered measures being passed into law. Then, how do the House of Lords at present discharge their duties? I believe only three Peers are required to form a quorum, while the average attendance is from 10 to 15 only, and very often they will dispose of questions of vital importance, such as the Queen's Speech, in a great epoch of Constitutional history, by a debate of a few hours. The only subjects to which they appear to give much attention are those in which their own class and personal interests are involved. Undoubtedly the standard of most of the Members of the House of Lords, individually, is as high as that of Members of the House of Commons; yet it is a disgrace that men are permitted to remain in the House of Lords who would be drummed out from any other Legislative Assembly. I also ask hon. Members to consider the Motion from the point of view that in no other civilised country is there a purely Hereditary Upper Chamber. I admit that there is an hereditary element in the Upper Chambers of other countries, but in all of them there is an official and elective element as well. This Resolution does not go further than to propose that there should be some attempt to place the House of Lords in conformity with the Upper Houses of other countries. It is not a Motion which aims at the abolition of the House of Lords; it merely aims at a modification of the present conditions under which that House exists. The noble Lord the Member for Rossendale, whose absence we must all deplore, said, in a speech which he made in 1884, that those who supported this Motion had not come forward with any proposals of a practical character as to the body that should take the place of the House of Lords if it were abolished. My answer to that is that it is quite reasonable for us to condemn the present condition of that Legislative Chamber, and that it will be time enough, when we have obtained a vote of this House declaring that the Hereditary Assembly does not fulfil the conditions required of it, to address ourselves to the consideration of what body should be substituted for it. It is not necessary for us to make any suggestion of that kind. It is true there are means which have been availed of in other countries, and notably in the constitution of the American Senate, which, if applied to the House of Lords, would better enable it to perform its

functions to the satisfaction of the country. Undoubtedly this question has been treated from an academical point of view. It has not been treated with the seriousness that it ought to have been by the Liberal Front Bench, and I deplore the way in which it has been shelved. But I would remind hon. Members opposite that the most serious point they have to consider in the matter is that there is a great cleavage between the two Houses. The *personnel* of the House of Commons is no longer of the same character as it was before the Reform Bill of 1832; the House is no longer composed for the most part of Members of the aristocracy. This observation applies to both sides of the House, and not alone to the Back Benches, but also to the Front Benches. Whig landed proprietors and representatives of Peers, who used to govern the destinies of the country, no longer sit on the Liberal Front Bench, and a similar change has been in progress on the Conservative side of the House. Before long this House will have to deal with some very important questions, including the reform of the land laws, and, in all probability, measures of a very drastic and democratic character will be passed, and it is more than likely that such measures will be treated in a spirit of hostility and opposition by the House of Lords. It is, then, with the view of avoiding a great shock and of evading very serious difficulties that may arise in the future that the moderate proposal of my hon. Friend has been placed before the House; and in the hope that, by accepting and endeavouring to apply the principle of the Motion, we may be saved from results of a serious character—results that might lead to something which, as a noble Lord suggested the other day, would involve the sending of a Cromwell into the House of Lords to carry out the behests of this House—a Cromwell in the form of a body of newly created Peers—that I trust that both sides of the House will extend a favourable consideration to the Resolution of my hon. Friend.

(5.16.) MR. C. W. R. COOKE (Newington, W.): I think it would have been better if the hon. and learned Member who seconded the Motion had consulted with his leader before he spoke, as he has supported it on different grounds from those advanced by the hon. Member for Northampton, who said nothing about mending, but a great deal about ending, the House of Lords. The hon. and learned Member, on the other hand, has commended the Motion to the House on the ground that it is a moderate one, and does not commit the House to the abolition of the House of Lords. If the two hon. Members could manage to persuade their leaders on that point I am sure they would be glad of the instruction. The hon. Member for Northampton delivered an admirable speech on this subject on the last occasion he brought it before the House, and to-day he has expressed satisfaction at the result of the debate which then took place. But while he was speaking on this important subject to-day I noticed only 15 Members behind him and 30 opposite him, while during the speech of the hon. and learned Member who followed him the attendance of Members was still smaller. If the hon. Member for Northampton is satisfied with that condition of the House, I must say that he is thankful for very small mercies indeed. The object of the hon. Member in continually bringing this Motion before the House cannot be to strengthen his cause; and I think that if he will consult his own political friends they will tell him that while they are desirous of effecting reforms in the House of Lords his conduct weakens the object which he professes to have in view. What is that object? The hon. Member is a very much misunderstood man: he certainly disappointed the House to-night. He was absent from the House yesterday, when he might have rendered his Party valuable service by carrying out his views on the question of obstruction; and we might have expected that he would have devoted himself in his absence to a study of Joe Miller, in order to furbish up one or two jokes for the benefit of the House. But he does not seem to have taken that trouble. What, then, is his object? My opinion is that there is no stronger supporter of the House of Lords than the hon. Member, who, as we all know, is the proprietor of a publication which is chiefly concerned with the doings of the aristocracy, and if the House of Lords is ended the income from that paper would probably be considerably reduced. Why, then, has he come down to make such an extremely

dull speech to 15 of his friends? I think it was a remarkable piece of self-denial on his part, and that his real object was to make out the Motion to be so ridiculous and absurd as to have the effect of strengthening the Chamber which he professes to condemn. Last year young Members of the aristocracy took up the time of this House in order to say that they preferred to stop in this Chamber; but if it is desired to strengthen the Upper Chamber I would willingly allow those young Members to go to that House. If there is anybody about to speak on this subject, I hope, considering the circumstances in which this grave question has been brought before the House, that no one will take the question seriously; up to the present time it has hardly been taken seriously even by the hon. Member for Northampton himself.

*(5.25.) MR. B. COLERIDGE (Sheffield, Attercliffe): I had expected to hear from the hon. Member opposite some argumentative defence of his opposition to this proposal; but all we have heard is that some hon. Gentleman in the Lobby told him that the bringing of a subject annually before the House has a tendency to weaken it. But it seems to me that all subjects which interest the House are brought forward annually, and that the Division Lists have shown that the interest taken by the House in this question is increasing, and will increase. The hon. Member has appealed to us to treat this question seriously. I propose to do so as far as I can. With regard to the position of the House of Lords, it used to be a council of advice to the Sovereign, a very important function, which has long been usurped by the Privy Council, and which the House of Lords no longer enjoys. Secondly, in theory it is the supreme Court of Appeal, a most important function for it to perform. But whatever may be the theory, in practice we know that the House of Lords has abandoned that position; and I believe that it was the opinion of the late Lord Cairns and other lawyers of repute that, the House of Lords now having allowed its rights to fall into desuetude as a Court of final legal appeal, it would not be permitted now for Lords who are not Law Lords to take part in any Division upon an appeal which had come before that Body. Therefore we may say, so far as the House of Lords is concerned, that the Privy Council and the Court of Appeal will go on perfectly well without the existence of that House. Thirdly, there is its existence as a branch of the Legislature. Before the Reform Bill of 1832 the House of Lords was practically the dispensing power in this country; not only was it a branch of the Legislature in itself, but it practically returned, directly or indirectly, a majority of the Representatives in this House. Now, I ask the House what the House of Lords has done since 1832? It has been said that the House of Commons is blocked with business, and has actually lost its originating power. But has the House of Lords taken advantage since 1832 of the block of business in this House to become in any sense an originating power? The only thing they originated was an Act to make void marriages with a deceased wife's sister, and ever since that was passed the House of Commons has by consistent and repeated majorities, desired that it should no longer be the law of the land. Therefore, that was no great legislative feat. The other thing which the House of Lords had originated was the instituting into our municipal life a sort of poor imitation of their own body in the Aldermen of Municipal Corporations. I think we are all on this side of the House desirous, as we showed in the debates on the County Councils, to do away with that foolish anachronism, namely, the segregation of superior persons aloof the Representatives of the people. Of course, it may be said that it is useful to have a Body like the House of Lords to check hasty legislation; but I ask what legislation that is hasty has the House of Lords checked? Looking over the last 40 years I see one piece of legislation which indubitably bears the mark of haste. I allude, of course, to the Ecclesiastical Titles Bill, which was passed at a time of religious bigotry, when people were greatly excited, and which was passed rapidly and hastily. And when the one occasion rose in which there might have been some sense in a controlling Second Chamber to prevent the passing of hasty legislation, what did the House of Lords do? Why it passed the Act almost without discussion. That being so, what is the object of the House of Lords? Everybody, I suppose, believes in the theory that political institu-

tions in this country have for their object the carrying into effect of the will, matured if you like, of the people Surely the best way to effect that object is to make this House as representative as possible, and, in order to obtain the latest information as to the views of the people, to make the elections frequent. If we made this House thoroughly representative, and repeatedly appealed to the people for confirmation of its powers, what better representation could we have of the mature reflections of the people at large? I ask myself on what basis we would reform our place, the Second Chamber? It has been suggested that the Peers themselves should elect certain of their own Body by the process of weeding out the less acceptable Members. Well, all I can say of that suggestion is, that the Liberal Peers in the House of Lords are few enough already, and by that process they would be weeded out altogether, and they will be in the position now occupied by the Scotch Liberal Peers, who have not the good luck to be elected by their own order to serve in the House of Peers. They will be out of it entirely. It is also said we could make a Second Chamber, based upon the same suffrage as the House of Commons; but they might have a more prolonged tenure, and, therefore, this might be in some sense a controlling Chamber on the action of the House of Commons. If we do that it seems to me we create two Chambers of co-ordinate powers, based upon the same suffrage, and we pit the two Chambers one against the other. I cannot conceive why, if we had one Chamber elected by the people at large, the same people should elect a Second Chamber to revise the decisions of the Chamber they had so elected. But it has also been suggested that we should place the suffrage of the Second Chamber on a higher basis, and allow the suffrage to be in the hands of a higher and more wealthy and prosperous class. Well, as a Liberal, I protest against this, for it seems to me it would emphasise still more strongly the distinctions between property and numbers, which it is the earnest desire of every Liberal to destroy. In that case we might have a very attractive Chamber. We might have a Chamber which would attract men of good social standing, men of position, men of intellect; but I protest, as a Member of this House, against taking the best men from it and placing them in another Chamber. If we are to conduct the business of this great Empire in the way in which it ought to be conducted we want all the best men which our race can produce in this House. We do not want mere political adventurers; we want energy as well as caution, and we want enthusiasm as well as disciplined experience. But assuming for a moment that we have got our Second Chamber, what is it to do? If it is nerveless, if it takes no action, if it is a mere registering Chamber of the decrees of this House, a mere *lit de justice*, there is no object in its creation and no reason for its existence. If we want, as has been said, a Second Chamber to revise and correct, apart from all political prejudices, the decisions and the proceedings of this House, then I ask how we are going to construct such a Chamber. It has been said of one great man that he was aloof from all the sordid occurrences of this life and unsullied by their intercourse; and if we are to have a Second Chamber entirely apart from political prejudices, of completely and absolutely wise men, then first of all I ask where are the men to be found? No process known to me can ever produce such men. We cannot trust Parties to nominate them. Of course, Parties will nominate them according to Party views and Party prejudices, and no system of election ever can be framed that can possibly produce them. I daresay we could get by a process of filtrated election, or by a suffrage confined to wealthy people, a Second Chamber of which I may call superior persons. We could no doubt have a Second Chamber of persons of the style, shall I say, of Professor Tyndall. We might have persons of that kind, but I say for either lack of political instinct and utter blindness of political vision and for undiluted political rancour commend me to the superior person. Surely it will be admitted at once that we live in a democratic country. Then is it not right and proper that we should manfully and fearlessly recognise the result of what we have done in giving the people at large the conduct of their own affairs? Surely it is better we should act up to the professions we make, and that we should brush aside all these fantastic Second Chambers

which are the creation of ingenious brains, and that we should recognise at once that all these Second Chambers which have been suggested are, in reality, but creations for the purpose of thwarting and hindering the carrying into effect of the expression of the will of the people at large of this country.

*(5.40.) MR. CURZON (Lancashire, S.W., Southport): Mr. Speaker, there is an air of unreality about this annual debate on the House of Lords. There has been a hollowness of declamation in the speeches to which the House has so far listened, and there has been a listlessness of tone in the House itself, which do not betray very great interest in the question. If the hon. Member for Northampton (Mr. Labouchere) meant his Motion seriously, I think he would give us a little more wisdom and a little less wit in his speeches; and if hon. Members opposite took this Motion seriously, I doubt whether they would have selected the hon. Member for Northampton as the leader of their crusade. Then we have had one speech from this side of the House, and I am bound to say that speech did not convince me that the Motion was taken any more seriously by the hon. Member (Mr. Radcliffe Cooke) who made it. The hon. Member seemed most anxious to disassociate himself from all aristocratic connections, and he has no doubt himself been contributed to this House by the untitled democracy of Newington. Well, no one knows better than the hon. Member for Northampton that this Motion is a mere *brutum fulmen*. It is not by Resolution of this House, but by revolution that the House of Lords, if it falls at all, will fall. [*Opposition cheers.*] That point of view, I am glad to see, is endorsed by the cheers of hon. Gentlemen opposite. I conceive that were the Motion of the hon. Member to be carried to-night by as large a majority as that by which it is certain to be rejected, the House of Lords would not necessarily be one day nearer its destruction. I confess, Sir, that there is to me something of impertinence in the spectacle of this House, which is so sensitive of its own prerogatives, presuming to sit in annual judgment upon another Chamber which in most of the attributes of a deliberative and legislative Chamber is incomparably its superior. And I think, too—and I make this reference only because the hon. Member for Northampton has anticipated me in doing so—that there is something comic, if not worse than comic, in the spectacle of an hon. Member who has lately been suspended from the service of one House of Parliament coolly getting up and proposing by a stroke of the pen, and for no offence, to suspend four-fifths of the Members of another. The hon. Member for Northampton has invited us this evening to condemn the hereditary principle. It is easy enough to make fun of the hereditary principle. That is a cheap rhetorical triumph which the pettiest provincial Cleon can attain. It is easy enough, too, to extol the representative principle, more particularly in an Assembly in which we owe our seats to the operation of that principle. We are naturally disposed to think that we are the best House of Commons in the world, and that the principle upon which we are returned is the best principle. As regards the hereditary principle, no one on these Benches, so far as I know, has ever attempted to defend that principle on the ground of abstract theory. I do not do so for one moment. No one has ever attempted to argue that the doctrine of hereditarily transmitted ability is a scientific induction sufficiently sound to supply us with a basis if we were constructing a new Legislative Chamber. I say that no one has ever said that, and no one presumes to say so now. But Houses of Parliament are not made by theories any more than they are destroyed by Resolutions. We have to face this fact—that the hereditary principle, however unsound it may be in theory, has gradually but surely established itself in this country as an automatic mode of selection, not only for the Members of the Upper House of Parliament, but also for regulating the succession to the Throne—under the sanction, I admit, of the House of Commons—and also for the determination of the laws and customs of inheritance in every-day life. And, Sir, we have further to face the fact which the hon. Member for Northampton conveniently ignores, that this hereditary principle which it is so easy to deride is not only a popular principle with the country, but one which becomes in-

creasingly popular from year to year, and that it is one to which democratic peoples, democratic Governments, and democratic constituencies, lose no opportunity of evincing their attachment. Sir, I see on the Front Opposition Bench my hon. Friend the Member for Leeds (Mr. H. Gladstone). I am sure he will not think it due to any impoliteness on my part if I say that he originally owed to the operation of the very principle which the hon. Member for Northampton derides that seat in this House which he has since justified by his own ability. There sits next to him upon that Bench another right hon. Gentleman. I can remember the day when the right hon. Gentleman the Member for Derby (Sir W. Harcourt), who will presumably follow his leader the Member for Northampton into the Lobby to-night—I can remember when the right hon. Gentleman brought to a pitch of intense enthusiasm a popular audience by assuring them that he, too, was a scion of the Royal stock. I am sorry to see the right hon. Gentleman deny by shaking his head that which I have always regarded as one of the few redeeming features of his career. Then, Sir, in a neighbouring country, professedly the most democratic in Europe, we have the spectacle of a statesman elected to the Presidency of the French Republic on the ground—which must be most abhorrent to the hon. Member for Northampton—not that he was the son of his father, but the grandson of his grandfather. Finally, Sir, I have always heard that the hon. Gentleman the Member for Northampton himself supplies an illustration of the operation of the same principle pushed to a yet more remote degree, and that he first secured a seat in Parliament and an entry into that public life which he has since adorned, because he was not merely the son of his father but the nephew of his uncle, and that uncle a Member of the House of Lords. Sir, I merely make these observations to show that the hereditary principle in legislation, however vulnerable and assailable in theory, is a somewhat different thing in practice. The hon. Member talked to-night in his speech about slaying the slain. I venture to think that when in a position of less freedom and greater responsibility upon that Bench he sets himself to the task of destroying the hereditary element in the House of Lords he will find it a more difficult undertaking than he has yet any idea of. The Motion of the hon. Gentleman can only have one of two legitimate corollaries. Either those who vote for it are prepared to dispense with a Second Chamber altogether or they must be ready to construct a House of Lords in which the hereditary principle plays no part. As regards the first alternative, I believe the feeling in favour of Single Chamber Government is one that has few supporters in this House. [*Cries of* "Oh!"] It has very few, if any, supporters in this House. It is not recommended to us by the fact that the only country in Europe to practise it is Greece, and the example of Greece is not rendered more respectable by the fact that the only country in the world to follow Greece is Costa Rica. Last year the right hon. Gentleman the Member for Aberdeen (Mr. Bryce), who knows more about other countries' Constitutions than any other man does about his own, made a speech from that Bench presumably on behalf of the Official Members of his Party; and in clear and unequivocal terms he threw over Single Chamber Government, and declared that it was incompatible with the equilibrium of Government in this country; and, if I remember aright, the hon. Member for Lanarkshire (Mr. Cuninghame Graham) was the only man on that occasion who raised a despairing cry in favour of the Single Chamber heresy. If we may regard the hon. Member for Aberdeen as a more typical and a fairer representative of the Party opposite than the Member for Lanarkshire, we may conclude that the feeling in favour of Government by a Single Chamber is one that has no support in this House, and which we may dismiss from consideration. Well, Sir, I come to the second alternative. Hon. Members opposite, if they are not prepared to dispense with a Second Chamber altogether, must clearly contemplate a House of Lords from which the hereditary element has been excluded. The hon. Gentleman the Member for Durham (Mr. Atherley-Jones) said that you might pass this Motion, and that you would not, therefore, as a consequence, abolish the existing House of Lords. I think, Sir, he is strangely unaware of the composition of the

House of Lords. The only elements in the House of Lords other than its hereditary Members are the Bishops, the Law Lords, the Irish and Scotch Peers, who are, to some extent, representative, and the Peers who have been ennobled themselves. But I do not imagine for one moment that the hon. Member for Northampton would tolerate a House of Lords composed of this residuum; and it is therefore clear that this Motion, by extinguishing the hereditary element in the House of Lords, would extinguish the House of Lords along with it, and I have no doubt this is what the hon. Member for Northampton has in view. [*Cries of* "Yes."] I am glad I have the hon. Member's approval, because it brings me to my point, which is this—that if you propose by this Motion to abolish the House of Lords, it is quite clear that you contemplate in the near future an entire re-construction of that Chamber; and the first thing you ought to do is to present to us the alternative House of Lords which you propose to set up in its place. Have we had the slightest indication of this new House of Lords which will be required? Are there two men on that side of the House who are in agreement either as to the elements of which it should be composed or as to the principles which should regulate its construction? Last year the Member for Northampton was so conscious of the ridiculous position in which he was placed that he came to this House with the details of a scheme.

MR. LABOUCHERE: I have always been in favour of one Chamber. Last year I did submit a plan for a sort of Chamber for weaker brethren. They did not accept my proposal.

*MR. CURZON: I am sorry to hear his admission that his proposal of last year was not more serious in its character. I had given the hon. Gentleman credit for being something more than a Nihilist, and had thought that occasional flashes of constructive ingenuity dawned upon his mind. Now, it appears that his imaginary House of Lords which, if I remember aright, was to be elected by the County Councils, to be, in fact, a sort of glorified Bumbledom—it now appears that this House of Lords was but a mere momentary creation—a *jeu d'esprit* tossed off by the hon. Member, not for the purpose of giving information to the House of Commons, but to afford some sustenance to a few recreant spirits on his own side of the House. I am glad to hear that the hon. Gentleman has since disowned his own offspring, for it will show the House of Commons this evening that they are invited to pass a Resolution for abolishing the House of Lords without the glimmering of an idea as to anything by which it is to be replaced. I feel tempted to ask a further question. Have we not got quite enough Constitution-mongering on our hands already? There is the right hon. Gentleman the Member for Mid Lothian, who has a scheme, or is supposed to have a scheme,—no one seems to know much about it—a scheme for the construction of two new Legislative Chambers for Ireland. Then we have had faint prophetic adumbrations of two other new Legislative Chambers for Scotland and for Wales. That means four ships already on the stocks, and now the hon. Member for Northampton comes here and proposes a Motion which, if carried, would involve, as a logical corollary, the setting up of the timbers of a fifth. It is preposterous that at this period of the nineteenth century, in this House, where there is more work pressing upon us than the House can possibly get through, when great social problems, whose dimensions we scarcely at present realise, are appearing above the horizon, that at such a time the hon. Member should come down and propose to toss the whole Constitution into the melting pot, simply because it does not conform to some abstract idea of uniformity which he has formed in his own mind? I am one of those who think it would be wiser to take things somewhat as they are, to admit imperfections, and do our best to remedy them. We must remember that we are not starting, and that we cannot start, with a clean slate. We cannot wipe our sponge over the history of the past. We have a House of Lords which, in my humble judgment, has played a great and distinguished part in the history of this country, which has certain merits which it would be difficult to find elsewhere, and, perhaps, still more difficult to create. But that House is disfigured by imperfections and drawbacks which impair its efficacy for good. I have on previous occasions trespassed upon the indulgence of the House by stating what I believe those objections

to be, and I will not on the present occasion do more than recapitulate them in a few sentences. The existing House of Lords is too exclusively hereditary in its character. There are large groups of interests and sections of opinion which are entirely unrepresented in that House. The working bees in the House of Lords are too few and the drones are too many. As long as a Peer, after accepting his patent of creation, can only become a hereditary Peer, you restrict entry into that House, and you render it impossible for there to be that stream of constant re-invigoration from the people which is necessary to keep the House of Lords, or any Chamber, in harmonious touch with the country at large. These are obvious and conspicuous defects in the existing House of Lords. But there are others which are less commonly noticed, and which are submitted to with a patience that, to my mind, is perfectly amazing. Hon. Members opposite are in the habit of speaking of the House of Lords as if it were a nest of privileges and exemptions. To my mind membership of the House of Lords entails disabilities more cruel and severe than those which are imposed on any other body of public men. You compel a man who is the son of a Peer, and who succeeds to the Peerage, to enter the House of Lords, whether he will or not. You compel him to remain there; you debar him from resigning. You give him no facilities for quitting that House. It is as impossible to get out of the House of Lords when once you are in as it is to jump out of your own skin. Members of the House of Lords are debarred from playing the part of active citizens in this House. They are not even allowed the privilege of voting at the polls—and yet, while you consent to impose these disabilities upon this body of men, you have hon. Members, like the hon. Member for Northampton, coolly coming down here and protesting that these legislators, who cannot help being legislators, are incompetent and unworthy men, and do not suit the theory of Government he has in his own mind. It would be a much more reasonable thing if, instead of proposing this Motion, the hon. Member had devised some machinery by which the individuals of whom he speaks might in this House become legislators, worthy and competent legislators, which they have not always the chance of becoming in the House of Lords. I know that my views upon the subject of the House of Lords are not acceptable to all sections of my own Party. I know there are some who are disposed to argue that to touch the House of Lords is to shatter it. To them I reply that if the House of Lords is not strong enough to stand handling of any description, it is not strong enough to form an integral part of our Constitution. There are others—perhaps they are the bulk—on this side of the House who are disposed to say "Why not leave well alone." I deny altogether that it is well. It may be well enough while we have a Conservative Government, and while the House of Lords has simply to register decrees that are sent up by the Conservative majority in the House of Commons. But I invite hon. Members on my side to look a little ahead. I think the time may come, I think it is coming, when it is quite possible that the House of Lords may be brought into more acute and violent conflict with the House of Commons than it ever yet has been. When that time comes I do not want the conflict to be represented, or, if you like, misrepresented, as a conflict between the representatives of land on the one side, and the representatives of the people on the other, between the hereditary principle and the representative principle, or even between the two social orders of the Peers and the people. I am not suggesting for a moment that the House of Lords should embark upon a career of petty and perpetual friction with the House of Commons. Nothing could be more disastrous, nothing more foreign to the purposes of our Constitution; but when the House of Lords is forced into position of direct antagonism to the House of Commons, I want it to be convinced not only that it has right on its side but that it has behind it the support and the affection of the democracy at large. The Motion which the hon. Member for Northampton has submitted to the House this evening does not carry us one inch nearer the attainment of that ideal. I would gladly, if I could, vote for a Motion that had in view a reform of the House of Lords such as I have sketched, or I would gladly vote for any Motion that had in view a temperate and reason-

able reform of the House of Lords, whatever it might be. But no such Motion is before us. It is useless putting it upon the Paper of this House, because according to the rules of our discussion I am prohibited from moving it. In my inability to move any Motion for reform of that description or to vote for it, I have no hesitation whatever in recording my vote against the Motion of the hon. Member for Northampton, which I conceive to be animated by no other motive than heedless vandalism without the faintest hope or hint of re-construction beyond.

Question put, "That the words proposed to be left out stand part of the Question."

(6.10.) The House divided:—Ayes 201; Noes 139.—(Div. List, No. 34.)

Main Question again proposed.

TUBERCULOSIS IN CATTLE.

*(6.20.) MR. LEES KNOWLES (Salford, N.): I desire, Sir, to call the attention of the House to the subject of tuberculosis in cattle, and to recommend that this disease should be scheduled under the Contagious Diseases (Animals) Acts. Perhaps I owe an apology to the House for occupying time with such a subject, but I hope to show that the importance of it justifies me, and that it is more within the range of practical politics and administration than the subject with which we have just been dealing. My excuse is that in my constituency is one of the largest cattle markets in the kingdom, and a large number of my constituents are connected with that market; while there are a large number of persons in the surrounding districts interested in the meat trades. There are, no doubt, hon. Members in the House who wonder what tuberculosis is, and, in fact, several have asked me the question. To put my reply as concisely as possible, I may say that it is a disease in animals which corresponds closely to the disease of pthisis or consumption in human beings, which is one of the most fatal of diseases. Tuberculosis is a new subject, but it has lately attracted much attention and has become better understood in the last 10 years, during which period the disease has considerably increased. So new is the subject that tuberculosis is not referred to in any Act of Parliament relating to cattle or the lower animals; it is not alluded to even in the Contagious Diseases (Animals) Act of 1878. The disease is chronic; it may last for years. Cattle-plague, pleuro-pneumonia, and swine fever are acute. Tuberculosis, from a sanitary point of view, is much more dangerous than those diseases. Professor Cameron, when he gave his evidence before the Departmental Committee, said that whereas he would eat the flesh of a beast which had suffered from pleuro-pneumonia, he would not touch the flesh of a tuberculous animal. The disease is almost unknown among animals in a wild state. In the Zoological Garden it kills more animals than does any other disease. American and Canadian cattle are comparatively free from it, and in Australia it is only now beginning to spread, and its course can be traced from one part of the colony to another. The disease is found mostly among dairy stock, but it is found also among bullocks. In-and-in breeding is a primary cause of it. In-and-in breeding weakens the stamina, and if there is the slightest taint of the disease in a herd, in-and-in breeding aggravates it. Where there is in-and-in breeding the disease is most common. Another cause is inhalation, and another, ingestion, that is to say, animals may get it from mouthing the food, or the trough mouthed by other animals. Another cause is inoculation. The winter milk-trade aggravates the disease, and in towns, cows are more frequently affected with it than in the country. In our town cow-houses there is frequently a want of proper ventilation, and the beasts kept there are unable to get proper physical exercise, and proper natural food. The food given them is of an artificial and stimulating nature, not intended to inprove flesh and blood, but intended to increase the quantity of milk, and it acts therefore as a strain upon the animal. One peculiarity of the disease is that it does not affect the amount of secretion of milk, although the udder is frequently attacked. The disease is communicable, and I could quote a number of cases from the Departmental Blue Book to exemplify this. There are cases of a bull spoiling a herd, of a cow communicating the disease to a herd,

and of a bull taking tuberculosis from a cow, and of human beings, calves, and even pigs, dying after taking tuberculous milk. In one remarkable Scotch case, which will be found in the evidence, at Question 8,800, it will be seen that the workers on a particular farm were found to be suffering from consumption to a large extent, and upon this farm many animals had tuberculosis. Some particular cattle sheds were pulled down and consumption apparently ceased. Then, I can give an instance of a mother communicating consumption to her child, and of a girl taking by inoculation infection from a human patient. Moreover, there are cases of inoculation where men have milked animals while having sores upon their hands, and have got what are called "butchers' tubercles." If tuberculous beef is dangerous, tuberculosis milk is still more so, because milk is more frequently taken in an uncooked state. It is very dangerous to particular individuals, and especially so to children. It is said that poor people suffer more from this disease than do the rich, because they are unable to get such good milk or flesh as can their richer brethren. Milk may be rendered less harmful if cooked, for it has been discovered that the "baccili" or microbes can be destroyed at a heat of 100 degrees Centigrade, or 212 Fahrenheit, in a few minutes. The strongest brine has no effect, and the ova, or spore, require a higher temperature. Boiled meat is better than roast, because the latter is often eaten underdone, while boiled meat is generally disliked if not thoroughly cooked. The disease is more prevalent among aged milch cows, and particularly prevalent among Ayrshire cattle, because they have small and narrow chests, and it is frequently found among shorthorn herds and pedigree stock. The disease has an influence on the powers of breeding, and non-breeding is often due to a tuberculous taint. I can give three instances of tuberculous cows having stopped breeding in consequence of the disease. Now, are there any tests by which the disease can be recognised? I can name three, all of which are alluded to in the Blue Book, and possibly there may be others. There are the tests of temperature and auscultation while the animal is alive, and when the beast is dead there is the test of the microscope. It may be said that our Inspectors are not sufficiently skilled to apply these different tests; then all I can say is, we ought to have men who are sufficiently competent; we ought to have specially trained Inspectors, and pay them, if necessary, higher salaries. It is a question of sanitation, a question of health, and I do not think that the consideration of cost should stand in the way. It is possible that experiments are still necessary to show whether tuberculous meat is or is not injurious to human health when the disease is in its initial stages, and especially after the meat is cooked. In France, Belgium, Saxony, and Bavaria the flesh of animals only locally affected is passed for human food. At the present time — it is rather a disagreeable part of the subject —persons trade in tuberculous animals, slaughter them in places where there is little or no inspection, remove the diseased parts, and sell the rest for food. Emaciated cows are sent from one town, where there is good inspection, to another, where the inspection may not be so good, under the names of "piners" or "mincers" — names suggestive of unpleasant associations—and are sold at prices from 30s. to £3 or £4 per beast. In Edinburgh, if an animal is in good condition, if the tubercles are limited, the glands not affected, and if the flesh on section appears sound, the animal is passed in the slaughter-houses. If the glands are at all affected the animal is always condemned; but I see from the *Meat Trades' Journal* for last Saturday that still more stringent regulations have been made in Edinburgh. Again, something ought to be done in reference to milk. At Paisley the Local Authority tried, in one case, to stop the sale of tuberculous milk, and for so doing were held to have overstepped their duty. Now, there are many proposals as to how tuberculosis should be treated. For instance, Professor Cameron proposes that the sale of cattle should be recorded, and that when an animal is sold at a fair, the person selling it should give to the purchaser a certificate showing the place of origin of the animal, and the name and address of the owner. That seems to me a very reasonable proposal indeed. Mr. Stephenson, F.R.C.V.S., goes further, and pro-

poses that all cattle intended for human food should be slaughtered in public abattoirs. I believe that at the present time meat inspection, and especially in London, is very imperfect, and it would, I believe, be greatly improved if public abattoirs were created. Of course, at the same time I would not interfere with private abattoirs under certain conditions, properly licensed and inspected. Mr. Stephenson further proposes that all cattle intended for food should be examined by a properly-qualified Inspector, both before and after slaughter, and that a careful record should be kept of all examinations in the abattoirs, and of the diseases found there. Other proposals have been made, and I think some of the following are good. It ought to be made penal for anybody knowingly to breed from a tuberculous beast. Compulsory notice should be given to Local Authorities in case of discovery of the disease by every owner, and then inspection should be made by a skilled Veterinary Inspector, so as to provide against unnecessary slaughter, and also against the continuance of the sale of tuberculous milk. In some towns, notably in Liverpool, Birmingham, Bradford, and Leeds, a Butchers' Jury decide doubtful questions. I think that when beasts are slaughtered, especially when they are taken away and compulsorily slaughtered in the interest of the community, compensation should be paid in certain cases. I think Local Authorities should enforce more strictly than they do the "Dairies, Cowsheds, and Milk-Shops Order, 1885," and that they should supervise all byres and cow-houses having regard to structure, drainage, and ventilation, and they should also examine the water supply. Medical Officers of Health should look for bacilli in milk, and if unable to detect them themselves they might send samples to a Bacteriological Laboratory. Local Authorities might also be empowered to inspect tuberculous herds, say every three months, slaughter out the animals that are ill, and stop the sale of milk from others. There is, at the present time, a Dairy Company in Copenhagen which has an examination of all its animals made every week. Possibly, this would not be sufficient; possibly, nothing would be sufficient but to go to the root of the matter and order a wholesale slaughter of tuberculous animals. "The Liverpool and District Butchers' Association" sent a memorial to the Agricultural Department last autumn on the subject of tuberculosis, and more recently a similar memorial was sent from Sheffield; but, unfortunately, my right hon. Friend the President of the Board of Agriculture does not see his way at the present time to deal with the prayer of the memorialists, and these memorials have been sent by my right hon. Friend (Mr. Chaplin) to the Local Government Board. Now, I think I ought to state the position of the Local Government Board in regard to this matter. As the law now stands, the question of the fitness of any animal for human food is, in the first instance, one for the Medical Officer of Health or the Inspector of Nuisances who has examined it under Section 116 of the Public Health Act, 1875. The question of its condemnation is one for the Justice who deals with the case under Section 117, and the Local Government Board are not empowered to interfere in any action that may be taken under the above-mentioned enactments. But not only have the Associations I have mentioned, and kindred Associations, memorialised the Board of Agriculture on this subject: the County Council of my own county, Lancashire, recently passed the following resolution:—

"That this Council is of opinion that the Board of Agriculture should institute a further inquiry with respect to tuberculosis, and to the losses incurred by farmers and cattle dealers on account of cattle being condemned as unfit for food."

Now, it seems to me that it would certainly be possible to deal with the disease in the cases of particular herds. I think the disease might easily be slaughtered out of them. I know of one instance where, had the owner of a particular herd slaughtered the whole herd 10 years ago and started with a new herd, he would be better off than he is at the present time. I know my right hon. Friend will say, if you are going to reduce herds by wholesale slaughter, what are you going to do with the pedigree stock. It is known that some shorthorn herds are riddled with the disease. A shorthorn bull may be worth 2,000 guineas—he might impregnate a herd with tuberculosis, and spread the disease over the

whole country—and my right hon. Friend may say it would be difficult to order the slaughter of such a beast as that. But I say such an animal ought not to be allowed to exist, and if it had pleuro-pneumonia it would be slaughtered, and compensation would be given; and tuberculosis is more dangerous than pleuro-pneumonia. I think when the health of the community is concerned, the question of the value of a short-horn bull ought certainly not to be considered. Many of my constituents are butchers, and their position is particularly hard. Our cattle market is under the best veterinary inspection, and every care is taken that only animals in a healthy condition shall be exposed for sale; but a Cattle Inspector has no power to seize a beast sold in public market on account of tuberculosis. Now, a butcher buys a beast that has passed inspection as to fitness for food, and he takes it home and prepares it for sale: there is no guilty knowledge on his part. Then there is a further official inspection, and the beast is condemned if traces of tuberculosis are found. In one case the traces were 12 or 15 little specks, about the size of apple pippins.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): Before or after death?

*MR. KNOWLES: After death. The case is particularly hard. The butcher is tried and fined, and may be treated as a criminal. He loses his beast and gets no compensation or redress, Imperial or Local. I could quote many cases at Bolton, Dublin, Glasgow, Hawick, Hyde, Irvine, Leeds, Manchester, Selkirk, and elsewhere; in fact, the *Meat Trades' Journal* is full of such cases. It may be said that the principle of *caveat emptor* should apply to the butcher who goes to market and buys a beast; it may be thought that there is an implied warranty that the beast is fit for food when a dealer sells to a butcher. However, in a case recently tried at Liverpool, "Hydes *v.* Cullen," it was held that when a defect or disease exists, of which the seller can have no knowledge, there is no implied warranty, and the purchaser has no claim. The doctrine of *caveat emptor* was held to apply; but in this Liverpool case, I suppose, the beast had been passed by the Veterinary Inspector. In discussing this matter with a friend, he suggested that the ordinary conditions of trade should apply, and he said suppose a cargo of jute ordered, and that on arrival the jute was found to be unfit for use in trade, I should have to stand the loss. Yes, but in such a case there was no official inspection of the jute: but, in the case of the butcher there was an official inspection of the beast before buying, and another official inspection after it was bought, and not till then was it condemned: and the butcher suffered the whole of the loss. Now, I think such a loss, if compensation is not paid from Local or Imperial funds, ought rather to be borne by the breeder or dealer whose acquaintance with the beast would be much longer than that of the butcher, who bought it, perhaps, at an hour's notice. The whole subject is one that has been brought into prominence in recent years. In 1883, at a meeting of the National Veterinary Association held in London, a resolution was passed in favour of scheduling tuberculosis under the Contagious Diseases (Animals) Acts. In 1884 the Butchers' Associations of Yorkshire petitioned the Government to the same effect. The Society of Associated Medical Officers of Health were in favour of scheduling. The result was that the Departmental Committee was appointed, and reported upon the subject; the Report being considered by the people connected with the meat trades to be highly favourable to their views; and upon this, an Order was prepared that the disease might be scheduled under the Contagious Diseases (Animals) Acts, as will be seen on page 12 of the annual Report of the Agricultural Department for 1888. But I regret to say that, although this Order was drawn up it has never been acted upon. The effect of that Order would have been highly satisfactory to the meat trades throughout the country, for it provided for the slaughter of diseased animals found on the owner's premises, for compensation for such slaughter, for seizure and slaughter of diseased animals exposed in fairs, markets, &c., or in transit, and for seizure and slaughter of diseased foreign animals on importation; that is to say, if the Order had been carried out the disease would have been effectively dealt with under

the Contagious Diseases (Animals) Acts. In France tuberculosis is classified among contagious diseases, governed by sanitary police laws, as it ought to be treated here. How to deal with the disease is an Imperial question, and ought to be treated as such. Our meat trades are in a particularly unhappy position on this subject in regard to foreign competition. Tuberculous meat is condemned according to individual magisterial notions in this country, but there is no examination of Foreign meat imported, and it is not known whether it is taken from tuberculous beasts or not. If my right hon. Friend cannot see his way to adopt the suggestion to schedule the disease under the Contagious Diseases (Animals) Acts, I hope he will devise some means by which the subject may be dealt with in a practical way. I would ask him, with this object in view, to receive a deputation from those interested in the meat trade—breeders, farmers, dealers, and butchers—and perhaps from these he might accept some suggestions and find a solution of existing difficulties. I think the subject one of considerable importance, and that we ought to do our best to reduce, if not to stamp out, the amount of disease that now exists in the country. I am sorry to have detained the House so long, but I felt conscientiously obliged to bring the subject to the notice of the House, and I thank hon. Members for the attention which they have paid me.

*(6.50.) DR. FARQUHARSON (Aberdeenshire, W.): I think I must first congratulate my hon. Friend on the complete manner in which he has put this subject before us in a very interesting statement. I have myself directed some attention to the subject in its details, and I can assure the House that it could not have been put forward in a more clear manner, in a more lucid and thoroughly dependable way. I must also congratulate my hon. Friend upon an acquaintance with that most wonderful and mysterious creature, the bacillus, very creditable to a layman. It is a subject of very grave, pressing, and I might almost say national importance, and I think we do well when we step aside from the clash and turmoil of ordinary political life to consider these questions of a sanitary nature seriously affecting the health of the community. When we remember that 150,000 persons annually die in this country from consumption, and that the disease is increasing, I think it is high time for us to look into the causes and endeavour to check them if we can. I am very glad my hon. Friend has brought this matter forward, for nobody can now say it is merely a doctor's "fad." It might have been thought that this is a mere scientific and pathological speculation which has not reached a point where legislation is necessary, but when my hon. Friend, in the interest of many in his large constituency, brings it forward, we may consider that there is that amount of interest taken in it outside the medical profession which is required before we can press our views into legislation. How does the matter actually stand? First we must prove that consumption is a communicable disease. For many years Italian doctors held that, and we scouted the idea, until by experiment and investigation of the mysterious bacillus it was proved that the creature had the power of being transferred from one person to another, carrying the germs of the disease. The next point that has puzzled our doctors is, are the microbes in man and in cows the same creatures? In other words, is it actually proved that tuberculosis can be communicated directly? Well, I think delicate experiments have undoubtedly proved that the bacillus is the same in both, and that the communication of the disease from the lower animals to man is only too well made out. My hon. Friend has told us how men and animals have suffered from the disease at the same time—how the disease prevails among high-bred pedigree stock, and he has told us clearly the ways in which animals may transmit the bacilli to man. Take the first way, by consumption of the flesh. I do not believe this is a very frequent case. It is an open question whether the muscular fibre is contaminated with bacilli, but I think it is perfectly evident that cooking takes away some of the infected property. But, as my hon. Friend has told us, merely roasting a joint may not entirely kill all the bacilli in it, for a joint, if large, is often under-cooked, and the heat reaching the interior part is not sufficient. It must be over 100 degrees. Even if the creatures are killed, there are the spores or eggs left, which will develop

into full grown bacilli and propagate disease. The destruction of these requires a much greater heat; and it is quite possible, and, indeed, only too probable, that an ordinary amount of heat is not sufficient to destroy these spores. Then apart from the flesh—as to which, as I have said, there is some doubt—we have the milk. We have evidence that communication from the lower animals to man by milk is made out in the most conclusive way by experiment. It is generally supposed that in cows tainted with tuberculosis, symptoms of the disease appear in the udders, but there is evidence of a scientific nature to prove that the disease may be present in the udder and yet be unrecognisable by the human eye during life, but the post-mortem examination discloses it, and this makes the matter more serious, for the milk may be affected although no signs appear in the udder, and thus the disease may be propagated. Under sanitary improvements and sanitary regulations we have stamped out some diseases, and others are less prevalent, but consumption is increasing considerably, and more especially among children; and, putting things together, it is not extravagant to suppose that the cause of the increase of this tubercular disease is due to the fact that it is communicated in the milk from tuberculous animals. We know that every disease of this kind must have some kind of proper soil in which to spring up, and that it is not everybody who is exposed to the infection that catches it; but, unfortunately, the conditions under which many of our poor people have to live render them only too much disposed to catch tubercular disease. We know that amongst the most prominent of pre-disposing causes is starvation, while bad ventilation, and the wretched housing of the working classes, also make them liable to disease; indeed the causes may fairly be grouped under the broad term of deficient hygienic conditions. We have here, then, a disease amongst cattle which is to be communicable from cattle to man, and is held by competent authorities to be caused in man by drinking infected milk from cattle suffering from tuberculosis. The case which has been brought forward by the hon. Member is a very grave one, and I think that it is the duty of the Agricultural Department to try and find some remedy. Last year I brought the matter before the House, but at that time there was no particular Department to which I could address myself, so that my efforts received but very scant notice. Now, however, we have an Agricultural Department, presided over by a Minister who takes a sincere interest in everything which affects the agricultural community, and I think we may not unnaturally appeal to him to try and find some remedy for a condition of things which is very threatening to the health of the general community. My hon. Friend has suggested that this disease should be scheduled, and I agree with him that if that were done, cattle breeders, realising the loss which they would incur from keeping tubercular stock, would pay greater attention to hygienic conditions, and that thus in time this terrible and catching disease would be stamped out among the lower animals. But, if the right hon. Gentleman is not prepared to take this step, I think he might accede to the very reasonable request of my hon. Friend, and receive a deputation of those who are well acquainted with this subject. I hope he will give us some assurance that he will try and find a remedy for this growing mischief.

(7.5.) MR. C. W. GRAY (Essex, Maldon): I think we are very much indebted to the hon. Member for having brought this subject forward, for undoubtedly it is one of great interest to agriculturists and to consumers of meat generally, as well as to consumers of milk, especially in the present unfortunate condition of agriculture, which compels farmers to give up growing corn, and to turn their attention to the breeding and fattening of stock. At the same time I think it would be almost impossible to schedule this disease in the manner in which pleuro-pneumonia and foot and mouth disease are scheduled. The very characteristics of the disease show that it would be impossible for any Department to deal with it in that way, and we could not go in for legislation to stamp it out by wholesale slaughter, without calling upon the taxpayers for a large sum of money in order to compensate the owners of the slaughtered cattle.

*MR. LEES KNOWLES: I did not suggest that the disease could be so stamped out, but I urged that it might be greatly reduced.

MR. GRAY: My point is, that it is of no use asking the taxpayers for money merely to reduce the disease by killing a hundred or so animals, when tens of thousands are suffering from its ravages. This is a question on which the Agricultural Department might be asked to get further information. The Department is presided over by a Minister who certainly knows the importance of this subject, and I trust that Professor Brown will devote his attention and scientific knowledge to the subject. Then, if it is found it would be reasonable to ask the taxpayers for money in order to stamp it out, we may expect the Minister for Agriculture to take that step.

(7.10.) MR. MARK J. STEWART (Kirkcudbright): Everybody who has had anything to do with cattle-breeding must realise the importance of this subject, and must be aware that the disease is of so insidious a nature that even the most skilful veterinarians are often unable to detect its existence. But the suggestion that inspectors should be appointed to go round to farm-houses, in order to see if cattle are suffering from it, is not one likely to meet with favour, because it would be an act of intrusion which would not be tolerated by any class. The persons best able to ascertain the state of health of milking cattle are those who attend to them; they can generally see when the disease develops itself in the animal's system. As to scheduling the disease, I very much question if any Government could induce the country to pay compensation for the slaughter of animals suffering from it. I do hope, however, that the Board of Agriculture will do all in its power to get further information as to the disease, and to ascertain the proper remedy to apply to it. In the district in which I live, we have about 12,000 milking cows, many of which are suffering from the disease. I believe that animals bred for milking purposes are more subject to tuberculosis than any other breeds, except, perhaps, the highest pedigree shorthorns, and the amount of compensation which would be required if you slaughtered all animals affected would be enormous. I think the proper plan of trying to repress the disease would be to adopt more stringent measures and methods of watching at the abattoirs where cattle are slaughtered, and preventing the sale of such cattle in public market. Much good might thus be done, for the farmers would cease to exhibit for sale infected cattle. The Board of Agriculture ought from an Imperial point of view, to take up this question; but they would not I think be justified in attempting to deal with it on the scientific information which we at present possess. Many farmers do not know the signs of the diseases, and it is only quite recently that the public knew anything about its existence.

(7.15.) MR. CHAPLIN: There can be no doubt in the minds of those who have listened to this debate as to the importance of the question raised by my hon. Friend, and, so far as I am concerned, I can assure him that upon this, as upon other questions, I shall be only too glad to lend him and the House whatever assistance may be in my power, as President of the Board of Agriculture, in order to arrive at some solution of this problem. But I am bound to say that I find myself confronted with a great difficulty in connection with this subject. I understand perfectly well that my hon. Friend desires—as indeed we all wish—to get rid of this disease altogether, once and for all, but I do not understand so clearly what are the means which in his opinion we ought to adopt in order to accomplish this purpose. The second difficulty in which I find myself placed is this: that even if I did understand the means which he thinks we should adopt in order to get rid of the disease, I doubt the power of the Board of Agriculture to carry them out. The hon. Gentleman himself pointed out—and the House will do well to bear this in mind—that this disease is not by any means limited to cattle alone. He referred to the Report of the Departmental Committee which sat upon this question last year, and it will of course be my duty to consider that Report. The first thing I find in that Report is that tuberculosis does not attack domesticated animals equally, and those liable to it are given in order of proportion in the Report. The first animal, and the one most liable to the disease, is man. Then come milch cows, goats,

sheep, and horses, &c. The House will consequently see that the matter is not one the supervision of which should be limited to the Board of Agriculture alone. If I may trouble the House with details, I would ask them to follow me in reading Section 56 of the Report before referred to—the section which deals with the frequency and proportionate occurrence of the diseases among men and animals. The section points out that 14 per cent of the deaths among human beings are attributed to the disease, and that in some places the rate is as high as 17·5 per cent. The Report goes on to point out that cows are much more liable to the disease than any other animals, and I find that in Dublin, where there is an enormous number of dairy cows among which the disease is specially prevalent, the percentage of infected animals slaughtered was 4·9, as compared with a rate of 14 or 15 per cent. of fatal cases among human beings. In Great Britain the percentage varies considerably, for it ranges from 3·5 per cent. to 37·5 per cent.; and in Germany it ranges from 1·5 per cent. to 20 per cent. according to the districts in which it prevails. I am therefore bound to say, with every desire to arrive at a solution of the question, and fully recognising as I do its importance, that, in view of the greater mortality among men than among animals, and in view of the great difference of opinion which to my knowledge prevails among scientists and experts, I regard the question as one rather for further consideration on the part of scientists than for immediate action on the part of the President of the Board of Agriculture. The hon. Member gave us an account—and, as far as I know, an accurate account—of the causes which lead up to this disease, and of the manner in which it is communicated from animal to animal; and he said that experiments which had been made had driven him to the conclusion that the meat of animals which had suffered from tuberculosis is dangerous for human consumption.

*MR. LEES KNOWLES: I said that, unless it was thoroughly well cooked, it would be dangerous.

MR. CHAPLIN: And that is precisely one of the points on which I do not feel bound to pass an opinion, as it does not come within the special province of the Minister for Agriculture to undertake researches of that kind. No doubt, when that point has been authoritatively settled, it will be proper for me to take the matter into my consideration. Then the hon. Member went on to describe the remedies which he desired us to adopt. I understood him to say we might hope to secure the ultimate disappearance of this disease if the Board of Agriculture would only fulfil what he regards as a duty incumbent on it, and schedule it among the contagious diseases under the Contagious Diseases (Animals) Act. But I should hesitate to put such an Order in force. In the first place, I am afraid I should be raising hopes which would be doomed to disappointment; and, in the second place, I do not believe it would improve the position of those in whose interests we are speaking—the constituencies which are largely interested in the cattle trade. I am exceedingly doubtful as to what would be the effect of such an Order, and I feel confident it is absolutely hopeless to attempt to get rid of the disease altogether. In the case of pleuro-pneumonia, and foot and mouth disease, we have passed certain Orders having that object in view, and in the course of the next few days I hope to ask the House to sanction legislation with regard to pleuro-pneumonia, by which I hope we may eventually extirpate the disease in this country. But it is not possible to do that in the case of this disease, which differs from others in that it can be communicated from men to animals. Under these circumstances, how can we possibly hope to extirpate tuburculosis by adopting measures of universal slaughter such as the hon. Gentleman describes, unless we are animated by such blood-thirsty intentions as I rather gather must have been in the minds of the Departmental Committee when they made their recommendation. I, for one, could not dream for a moment of attempting to undertake the extirpation of the disease, which could only be accomplished by a universal slaughter of human beings as well as of animals. The hon. Member has pressed upon me reasons why I should receive a deputation on this question. I have already had various communications upon this subject, and not very long ago a letter was forwarded to me by the hon. Member for Sheffield,

to the effect that the Sheffield Butchers' Association were exceedingly anxious that I should receive a deputation from their body, in order that they might submit to me the main objects they have in view. First, they wanted a definition as to whether tuberculous meat was wholly or partially unfit for food; and, if partially so, at what stage of the disease did it become unfit. But that is a question of public health, and does not come within the province of my Department. Then they wanted to have such meat condemned by being scheduled under the Contagious Diseases (Animals) Act; and thirdly, they wanted a uniform system of inspection of meat. I replied, pointing out that the first and final points were not matters upon which it was the province of my Department to pronounce an opinion; and I further added that when these points had been decided nothing would give me greater pleasure than to receive a deputation, and to do everything in my power, and in the power of my Department, to arrive at a solution of the difficulty. Of course, it would be possible for me to pass an Order such as is desired by the hon. Member, but I am afraid it would do very little to assist the people in whose interest the hon. Gentleman has brought this matter forward. I am very sorry to be unable to reply to the hon. Member in a more hopeful manner, and that I have not been able to meet his views more fully, but I hope I have said enough to explain to the House that the question is at the present time full of difficulty, and that it has not arrived at a stage at which it is possible for me, as President of the Board of Agriculture, to take action. We want fuller scientific knowledge in regard to it, and I can assure the House that I will not lose any opportunity of endeavouring to obtain that further information. No effort shall be wanting on my part, or on the part of my Department, to arrive at a satisfactory and, I hope, permanent solution of the question.

*(7.30.) SIR LYON PLAYFAIR (Leeds, South): I agree with the right hon. Gentleman that the time has scarcely arrived when animals afflicted with tuberculosis should be scheduled in the same way as other diseased animals are, but I am not satisfied with the manner in which the President of the Agricultural Department has spoken on the question, because he will recollect that, when the proposal was made last year to create a Minister having charge of agricultural affairs, I pointed out that the appointment of an ordinary administrative Department would have little or no effect on the country. I showed that in other countries, and especially in America, scientific men and experts were working in the agricultural Department, and I did hope that my right hon. Friend would have to-day promised to ask the Government to grant a scientific inquiry which would go thoroughly into this question. My right hon. Friend asked how he could cope with the disease when it was possible for a man to communicate it to the lower animals? That is perfectly true, so far as experiments show that the injection of tuberculous poison from a man into animals gives them the disease, but he must forgive me if I remind him that herbivora do not feed on man, whereas man does live upon herbivora. Milk from animals suffering from tuberculosis may be supplied to children, and it is a startling fact that, when tuberculosis prevails largely among animals, consumption is prevalent among children to an increasing extent. While this question is exceedingly important in regard to cattle, it is infinitely more important in regard to mankind. The matter is one which ought to receive the attention of the Government, and the newly-appointed Agricultural Department should investigate all the details. I think there can be no doubt that the disease is, through meat and milk, communicable to the human race, and I think there is every reason to believe that tuberculosis milk is largely responsible for the spread of consumption among children. I hope the Minister of Agriculture will represent to the Government the importance of having a thorough inquiry with regard to the spread of tuberculosis, and as to the desirability of preventing the consumption of milk obtained from animals suffering from the disease.

*(7.35.) MR. W. F. LAWRENCE (Liverpool, Abercromby): I should like to impress upon the House that this evil affects the public at large and not merely one class, and I do appeal to the Government not to neglect this subject simply because there may be a dispute between two Departments as to whose duty it is

to take it in hand. I think one of the best means of checking the spread of the disease would be the prevention of the exhibition for sale of pining or wasting animals, for you would thus put a stop to the sale of tuberculosis meat, and thus charge the loss on the right persons and not on the butchers, who in a seaport see foreign meat imported, which is liable to no criticism at the hands of an Inspector; and by some change of system you might also prevent the distribution of affected animals, when useless for milking, over the country for breeding purposes. It seems to me to be a matter of public policy for us to take steps to repress the disease in its early stages; and although we may not be able to find an entire panacea or efficacious remedy for the disease, yet it is possible to take a step in the right direction, and by consenting to receive a deputation from the great trade interests involved Ministers might place themselves in a position to gain useful information.

(7.39.) MR. GERALD BALFOUR (Leeds, Central): In addition to the general public two classes are interested in this question—the breeders and the butchers. My right hon. Friend has already dealt with the case of the breeders, and I agree with him that when live cattle are converted into dead meat the matter passes into the jurisdiction of the Local Government Board. I believe the Minister of Agriculture has already expressed his readiness to receive a deputation on this subject; and I will, therefore, make an appeal to my right hon. Friend the President of the Local Government Board to receive a deputation from the butchers, who are not less interested in the matter than the breeders. Is there any reason why the two right hon. Gentlemen should not jointly receive the deputation?

*(7.40.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): That suggestion will, I am sure, be carefully considered by my right hon. Friend and myself, and if it is possible to enable those who are interested in the matter to lay their views before the Government it may be desirable that we should jointly receive the deputations. I do not like here to discuss the question whether the duty of dealing with this subject belongs to one Department or to another; but on a question of such public importance I am sure my right hon. Friend will agree with me that it is the duty of every Department of the State to render all the assistance it possibly can in arriving at a solution of the difficulty. Hon. Members may be assured that the matter shall receive our full consideration.

INHABITED HOUSE DUTY.

*(7.42.) LORD HENRY BRUCE (Wilts, Chippenham): When I last had the honour of addressing the House on the subject of the Inhabited House Duty I regret to say that the Chancellor of the Exchequer was not in his place to hear the arguments which were used on both sides; but in winding up the discussion the Financial Secretary to the Treasury said he hoped the Chancellor of the Exchequer would be able, if not now, at any rate on some future occasion to at least rectify some of the anomalies which exist. There was a ray of hope in those words—a speck of blue sky. The history of this tax—which does not exist in Ireland—has been one of blundering and plundering. Its origin dates from the time of William and Mary, and its vagaries are a matter of history. It has been re-cast several times; first by Lord North in 1778, during the war of American Independence; again in 1798 Pitt combined the Window Tax and this tax into one; then again in 1802, on the repeal of the Income Tax after the Peace of Amiens, the rates were doubled by Addington, and the duties re-enacted in a Consolidating Act (42 Geo. III., chap. 34); in 1806, after the death of Pitt, 10 per cent was added to the tax by Lord Henry Petty, when he was compelled to abandon his proposal for a tax on pig-iron; in 1808, another consolidation was effected by Spencer Percival; in 1817, the question was again brought forward and redresses granted; in 1825, some further important alterations were made by Robinson, and in the Reform Parliament of 1832 Lord Althorp tried his hand at it, and in 1834 finally repealed it. But, unfortunately, 17 years later—in 1851—the policy of 1834 was reversed by Sir Charles Wood; the old rates were discontinued (which from 1808 to 1834 were on a graduated scale), and they were replaced by an assessment of houses of the annual value of £20 and upwards.

"In this shape," said Sir Charles, "it is a tax which is the fairest and best that can be levied." How everyone loves his own bantling. Well, Sir; only two years later attention was again directed to the tax, and in 1853, 1867, 1869, and 1878, redresses were granted, and I may say that the tax has been condemned by all the leading statesmen of our age. There is an old saying that "political memories are short." Now, the Chancellor of the Exchequer, in the year 1871, brought in a Bill named the Rating and House Tax Bill, Clause 11 of which ran thus—

"From and, after a certain date to be fixed by an Order in Council, the House Tax shall cease to be payable to the Crown, but shall be levied by and be payable to the Parochial Board in each parish to be applied by them in the reduction of the Consolidated Rate. This enactment shall apply to the Metropolis as well as to the rest of England, and the term Consolidated Rate shall mean the Poor Rate."

A year or two ago the Chancellor of the Exchequer brought in his proposal for a Van and Wheel Tax, the proceedings of which were to be devoted to local purposes; and I maintain that he has now an opportunity of showing his consistency by making up the loss which was sustained locally by his failure to carry that tax. I should like to point out a few of the anomalies which exist in connection with this tax. It is complained, in the case of caretakers in banks, warehouses, and professional houses, that where the caretaker acts in any capacity besides taking care of the premises the Inhabited House Duty is charged. In regard to this, in page 87 of the Report of the Commissioners it is observed—

"There is another class of exemptions concerning which many difficulties arise. Houses which are occupied for trade purposes only, and which consequently do not fall within the limits of the tax, are now very usually placed in the charge of caretakers who reside on the premises. Does the fact of such residence convert the house into a dwelling-house? The present rule is that if the caretaker is a *bonâ fide* menial servant, and resides on the premises solely for the purpose of taking charge of them, his residence does not render them liable to duty. It is not difficult to see how easily this exemption may be abused. The caretaker is often accompanied by a wife and family, and there have been cases where attempts have been made to introduce more distant relatives or strangers. In fact, caretakers have even tried to bring in servants of their own. We do our best to check such practices, but the points involved in them are sometimes very fine, and we are not sure that the revenue always receives its due. Similar questions as to caretakers have to be considered when they are placed in charge of otherwise unoccupied houses."

Of course, we are quite willing to render unto Cæsar the things that are Cæsars; but our contention is that Cæsar should make his taxes intelligible. Now, banks are called upon to pay 9d. in the £1, and the reason given is that they are not places of business in the strict sense of being traders. Again, although a house may not in itself be liable to House Duty, the fact that it has any communication with one that is liable renders that house also liable to the duty. In 1878 the right hon. Gentleman the Chancellor of the Exchequer brought in a Bill on this subject, and it was incorporated in the Customs and Inland Revenue Bill, which received the Royal Assent on the 27th May. But though the Bill passed into law it was two years afterwards tripped up by the action of the Inland Revenue Department. Now, why should lodging-house-keepers have to pay 9d. in the £1? Why should they not be treated like shopkeepers, and pay only 6d. in the £1? There is another question I should like to ask, and it is a very important one. We want to abolish structural severance in tenement buildings, which are intended for the working and poorer classes. It is admittedly an unhealthy way of living to be compelled to live in rooms communicating, and when it is possible to have the advantage of separate rooms it should be secured, but the imposition of this tax prevents that advantage being secured. I contend, further, that collectors of Queen's taxes should be paid by salary and not by poundage, for we know full well that the present system leads to increasing assessments. I know there is an appeal to the Local Commissioners against the assessment; but the appellant is compelled to attend in person instead of being allowed to send a solicitor; and if the local appeal is unsuccessful, and he desires to carry the matter further, he is compelled to attend personally at Somerset House, thus involving a considerable loss of time. The game, therefore, is hardly worth the candle. I will take another objection to this impost. It is a tax upon an outgoing instead of on an incoming, and I

think that the House may naturally ask why it was ever re-imposed. The answer is that it was renewed in order to meet financial emergencies arising in connection with the Crimean War. No such emergency can now be pleaded by the Chancellor of the Exchequer, for the revenue is not falling, and there is no difficulty in making both ends meet. I think I have shown the House the injustice of the tax: I condemn it on the ground that it is arbitrary, capricious, and unjust, and it seems to me to be levied on the principle that

> "They should take who have the power,
> And they should keep who can."

Faulty in principle and injurious in conception it is opposed to all the rudiments of political economy and detrimental to the best interests of this country. I hope to see the day when the Chancellor of the Exchequer will pluck up his courage and put an end to the tax.

*(7.57.) MR. W. SIDEBOTTOM (Derbyshire, High Peak): I do not often trouble the House, and I do not wish now to occupy much of its time or to prevent it going into Committee of Supply, but I have an excellent excuse for rising on this occasion, which is that the subject of the Inhabited House Duty is one in which a part of the constituency which I have the honour to represent takes a very deep interest, and as I so seldom trespass upon the time of the House I hope I may claim a little indulgence when I think it my duty, in the interests of my constituents, to say a few words on behalf of some of them. I do not wish to enter upon a discussion of the whole of the subject which has been opened by the noble Lord who has just sat down, but simply to draw the attention of the House to the case of one class of persons mentioned in the Motion who consider—and, I think, justly so consider—that they are grievously injured by the Inhabited House Duty as at present enforced. I mean the persons who are lodging-house keepers, and are called upon to pay duty at the rate of 9d. in the £1. No one, I think, will dispute that lodging-houses are used as business premises, and, in fact, that they are as much business premises as shops and warehouses in very many cases, and the keepers of these houses cannot understand why they should pay duty at the rate of 9d., while shopkeepers only pay at the rate of 6d. in the £1. I may be told that an alteration of this tax would cause a heavy loss to the revenue of the country, but we are all expecting that the right hon. Gentleman the Chancellor of the Exchequer will have this year a large surplus to dispose of, and I think he cannot better employ a small portion of that surplus than by relieving these people from the injustice of which they complain. Again, I may be told that if lodging-house keepers were put on the same footing as shopkeepers in regard to this tax that there would be considerable difficulty in ascertaining which were *bonâ fide* lodging-houses. But I do not think that this is in any way a sufficient answer to the case, and I submit that it is not right to subject these people—many of whom have to struggle for a bare existence—to this injustice, simply because the remedying of that injustice would lead to the creation of this small difficulty. I hope the Chancellor of the Exchequer, who last year received a large deputation on this subject, will be able to devise some means of determining who are *bonâ fide* lodging-house keepers; and I should like to remind him that, speaking generally, lodging-house keepers are an industrious hard-working class, who are very often in poor circumstances, and who consider that they are very unfairly treated with respect to this tax. I will conclude my remarks by thanking the House for the patience with which it has listened to me, and by expressing a hope that the right hon. Gentleman will be able to see his way to remove the injustice of which I venture to complain.

(8.0.) COLONEL LAURIE (Bath): Mr. Speaker, I support the view which has just been expressed to the House by the hon. Member. The Chancellor of the Exchequer is perfectly familiar with the grievance of lodging-house keepers, and he knows very well that in the constituency which I represent a great portion of the inhabitants earn their livelihood by letting lodgings. They find that large hotels and lodging-houses on a larger scale only pay 6d. in the £1, while they are compelled to pay at the rate of 9d. I know there are some practical difficulties with reference to this question, but it has been suggested that by some system of

registration it would be very easy indeed to get rid of these difficulties, and to be able to assess those who earn their livelihood by letting lodgings on the lower scale on which are placed those who are really carrying on a very large scale. I think the Chancellor of the Exchequer will concur that the class to whom I refer suffer from a real grievance, and I hope it is a grievance he may be able to remedy.

*(8.2.) SIR W. GUYER HUNTER (Central Hackney): Sir, last year I had the pleasure and honour of saying a few words on this subject, and it is unnecessary to detain the House for any lengthened period after what has fallen from my hon. Friend, to whose observations I have little or nothing to add. Last Session I referred to a deputation to the Chancellor of the Exchequer in 1889, and I trust the right hon. Gentleman will not depart from the promise which he then made. Since last year the objections to this tax have become far wider, and many Members on both sides of the House have taken up the question with exceeding warmth, and I trust the Chancellor of the Exchequer may see his way to getting rid of this unjust piece of taxation. Although the right hon. Gentleman may not be able to do so before the Budget, yet afterwards I trust he may see some way of repealing a tax which is unjust in its incidence, and causes much hardship.

*(8.5.) MR. S. SMITH (Flintshire): Mr. Speaker, I happen to represent a constituency in which there is a large number of lodging-house keepers. I am quite aware of the extreme difficulty of making exemptions to a tax of this kind, and of drawing a line between those who are properly lodging-house keepers and those who are not. But the lodging-house keepers are really a poor and struggling class, consisting mostly of widows, and if anything could be devised whereby the tax would bear more leniently upon them, I believe it would be very acceptable to a large section of the community.

(8.6) MR. CURZON: Mr. Speaker, I desire to appeal on behalf of the lodging-house keepers, who are engaged in a cognate line of business, though on a very much smaller scale, with shop-keepers and the tenants of hotels. The difference is one of degree, the hotel being a large lodging-house, and the lodging-house being a small hotel. The Chancellor of the Exchequer, in reply to the deputation, rather more than a year ago, raised certain objections to our proposal. He asked us if our appeal was made only for lodging-house keepers at watering places, or for lodging-house keepers in general. Of course I only speak for the lodging-house keepers of watering places, with whose case I am familiar. I do not ask, however, that they should be exceptionally treated, and hon. Members for other constituencies can state the case of the lodging-house keepers whom they respectively represent. The Chancellor of the Exchequer also asked us whether the tax is not paid by those who rent, and not by those who let the lodgings. I believe that this is not the case. I believe that the tax in its present incidence presses hardly upon those who take in lodgers. Their margin of profit is very small, and the source of income is a precarious one, being largely dependent upon the character of the season and the number of tourists. I think the case is one deserving the attention of the Chancellor of the Exchequer, and as we know that the circumstances are such that he is perhaps more able to comply with our demand on this than he will be on future occasions, I think he may be asked to treat this appeal generously.

(8.11.) SIR HENRY FLETCHER (Lewes): I also represent a watering-place in the County of Sussex, where lodging-house keepers are very much dependent for their subsistence upon visitors, and I do trust the Chancellor of the Exchequer will listen to the arguments which have been adduced, because they are very material ones indeed.

*(8.11.) MR. JOHN KELLY: Mr. Speaker, I wish to say a few words on a different point. The exemption in this tax is in favour of houses of a less value than £20 per year. While that exemption is, no doubt, of very great benefit in the country, it is of no sort of benefit in the large towns, where separate houses under the value of £20 are almost unknown. But there is a class of house (for such they really are) which ought to be looked upon as of under the value of £20—the tenement dwellings. I do not refer to such as the Peabody

buildings, which do not pay the Inhabited House Duty. I wish to say nothing against those who are providing the industrial blocks for our poor; but I am bound to point out that these dwellings have great drawbacks as compared with houses built in tenements, for the poor who use them have mostly either to mount up great distances, or to live in rooms from which the sunlight is wholly shut out. I think the question of tenemented houses one of vast importance to the community. My appeal is strictly limited to tenemented houses built as such, which unfortunately cannot be said to have "structural severance." These words have led to much difficulty and injustice, and I should indeed be sorry to see any favour of any kind shown to the owners of converted houses, which are really nothing but "rookeries." What is asked for is no great slice of the Chancellor of the Exchequer's surplus. I believe if he freed these tenemented houses from the Inhabited House Duty, it would only be a question of some £200,000 in all. I should like to point out to him that those who take the same view as I do of this matter of tenemented houses feel deeply grateful to the right hon. Gentleman for the kind way in which he received the deputation, and for the very great trouble which he allowed his Secretary to take in this matter. I appeal to the Chancellor of the Exchequer with some considerable hope, for if the great question of the housing of the poor is to be solved, I believe this can and should be done, and by offering facilities for the construction of tenemented houses, and that, in this way, insanitary districts could be replaced by healthy dwellings for the poor without casting any fresh pecuniary burden whatever on the ratepayers. By freeing them of the charge of the Inhabited House Duty, and some reduction of the rates, I believe we should see a great part of the worst streets of London pulled down, and suitable tenemented houses erected.

*(8.16.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Mr. Speaker, it is the general assumption that there is to be a very large surplus, but I wish to ask the House that if there are many large demands for its expenditure in every direction, where will the surplus be? It is rather anticipating events to say I have a surplus at my disposal, ready to meet all the demands made upon it. Hon. Members have put several points to me, but I must labour under the disadvantage in answering that if I were to argue with any of these hon. Gentlemen they would endeavour to extract from me whether or not I intended to deal with their points. On the other hand, if I abstain from replying, they may draw the opposite conclusion. Therefore I must, with the greatest respect, not attempt to reply with argument in any way. I notice that whenever a claim is made for remission of taxation in the case of any particular class, that class is always the most deserving in the whole community, and has the hardest struggle for existence. Lodging-house keepers are an industrious class, a hardworking class, and, as a hon. Member has said, a very struggling and very deserving lot." Hon. Members will see that I have taken to heart the character of the persons for whom they have pleaded. I have noted the great sympathy which they feel with a most deserving class. I am perfectly acquainted with the arguments of hon. Members, and I am afraid that that is all I can say with regard to the relief of the lodging-house keepers. My noble Friend who introduced the subject has spoken of the poundage assigned to assessors and collectors. Assessors are a very different class from collectors, because assessors assign the amount of the tax, but collectors only collect, and a little gentle stimulus in their case might be of advantage. But it is my intention in a few days to place on the Table a Bill of two or three clauses dealing with this question of poundage to assessors and their clerks. My hon. Friend who last spoke dealt with the question of tenement houses, and stated most fairly the difficulty with regard to structural severance. My hon. Friend will probably remember that the owners of some of the worst house property have made exactly the same claims. I feel very strongly that if the Government are to give way to the demands thus made upon them they will be giving an exemption to a certain class of owners not entitled to special privilege. The whole question of structural severance is one of great difficulty. My hon. Friend stated that the whole question meant £200,000 for London alone.

*Mr. J. KELLY: I beg the right hon. Gentleman's pardon. I meant £200,000 for the whole country.

*Mr. GOSCHEN: I thought the hon. Gentleman meant London, and I do not say that the cost should affect the question of whether the House Tax should be put upon any particular class of houses adapted to the working classes. Thus far I am willing to go, that I think it would be a very undesirable thing to discourage the building of any particular class of houses for the working classes. Beyond that I am unable to go. I must apologise to my hon. friends that I am unable, just a fortnight before the Budget, to enter into the points they have raised, though I have listened to the contentions and arguments which have been brought forward.

(8.22.) Mr. O. V. MORGAN (Battersea): Sir, in my constituency, during the last two or three years, a large number of small double houses have been built, in which families can live separately, and have separate entrances from the ground floor to the lower and upper floors. The tenements are completely severed, and each consists of four rooms. The two are generally let at a total rental of £25 a year, and it would be a great boon to these people if they could be relieved of the House Tax. I hope the Chancellor of the Exchequer will kindly take into consideration this class of small double houses, of which whole streets have been put up.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(8.54) Mr. PROVAND (Glasgow, Blackfriars, &c.): The right hon. Gentleman the Chancellor of the Exchequer made a very sympathetic address to his Friends on his own side, and undertook to consider their arguments, and look into the matter of the incidence of the House Tax. No doubt there are many anomalies connected with the tax, but if the right hon. Gentleman is going to consider those points brought under his notice by the Mover and Seconder of the Motion, he should also take into view the incidence of the tax generally, and see if all other people are fairly rated. Over a large portion of this country the incidence of the tax is most anomalous and unfair. For example, country mansions are rated very unfairly. The tax is based upon the annual value, and that is perfectly reasonable, or would be if the correct value were ascertained. In the case of country mansions, however, they are very seldom rented. They are mostly owned by the occupier, and the question of annual value is settled by Local Overseers who are not inclined to fix the valuation of these mansions of the wealthy as high as it ought to be, and, as a result, we find such places as Chatsworth, Blenheim, and Hamilton Palace, and many other mansions of that kind, rated at a lower amount than are many ordinary dwelling houses in our cities. If, therefore, the right hon. Gentleman is going to examine into the anomalies of the tax, he cannot legitimately confine his attention to the points brought before him by the Mover of the Motion. Besides the case of the mansions and castles of the nobility he must also consider the anomaly in the case of tied-houses, where the rate is paid not by the occupier but by the brewer, who is the owner, and who, to have a low rate, frequently makes the rent much under a fair letting value. We are entitled to ask that the Chancellor of the Exchequer, when he comes to review the whole incidence of this tax, will see that rates are levied fairly and impartially on all houses throughout the country.

MEDICAL PROVISION ON MERCHANT STEAMERS.

(8.56.) Dr. TANNER: I wish to call attention to a subject I ventilated in this House some years ago. In May, 1887, I framed an Amendment by which I called attention "To the entirely insufficient medical requirements and supervision on board Transatlantic liners for emigrants and steerage passengers;" and also invited "inquiry into the great risks incurred by master mariners and seamen on vessels making long voyages in consequence of the former being obliged to act as physician and surgeon to the crew in addition to his other duties." When I brought this matter under the notice of the House before, I got a very poor reply indeed from the right hon. Gentleman, at that time connected with the Board of Trade (Baron de Worms), although the question is a very important

one. I speak on this question as a medical man, and as one who has had an opportunity of visiting the large ships by which thousands of poor people are conveyed from this country to America. The grievances of which I complain have been brought under my notice again and again. I have seen these wants and requirements with my own eyes, and I conceive that I should not be doing my duty unless I endeavoured to draw the attention of the Government to the matter. It is a sad thing under any circumstances that so many poor people should be compelled to leave the shores of the country in which they have been born—and I allude in particular to the people who leave Ireland annually in large numbers. It is a great pity that in consequence of the want of attention and consideration shown to them by the authorities they are obliged to seek in another country that which is denied them in their own; and I think the least we can do when they are driven abroad is to endeavour, to the best of our ability, to see that the rules and regulations of the Board of Trade are carried out in their entirety, for their benefit, whilst they are on board ship. The right hon. Gentleman the Secretary for the Colonies told me that if I would bring forward any definite case that required investigation it would receive the fullest inquiry. Surely the right hon. Gentleman knew as well as I did that if the medical man on board any one of these steamships brought forward any of the cases which I have produced before this House he would immediately be deprived of his employment, and would not get further employment on one of these liners for the rest of his life. It is, therefore, utterly absurd for the right hon. Gentleman to say that the Board of Trade is doing everything in its power. We all know that one of these large liners cannot clear the port of Liverpool or Queenstown without the sanction of the Board of Trade Inspector, and the President of the Board of Trade (Sir M. Hicks Beach) read me a very long lecture upon what the Inspectors did in connection with the inspection of the ship before it left the port. I never found fault with the Inspectors of the Board of Trade. Many of those gentlemen are personal friends of mine, and from many of them I have acquired a portion of the information I have given to the House. What I say is, that when the ship clears the port all these grievances at once crop up. You have a hospital set apart on board each ship for the accommodation of such people who may be taken ill in transit. It frequently happens that no sooner has the ship cleared out of Queenstown than the brass plate is unscrewed from the door of the hospital and it is turned into accommodation for first and second class passengers. This, of course, is contrary to the rules of the Board of Trade, and were such a case to be brought under the attention of the Board of Trade the Board would be able to inflict proper punishment on the people who behave in this way. But who is to report it? If the doctor reports it he loses his position, and none of the officers on board dare report it. The medical man ought to be placed in such a position as to enable him to deal with questions of this sort, or at any rate, to bring them under the attention of the Board of Trade. I have shown that in many of the ships which convey emigrants to America there is no such thing as a permanent steerage, which means that there are no sanitary arrangements for steerage passengers. This was the case on one ship which had 1,500 people on board, no less than 800 of them being steerage passengers. The people were battened down for two days in consequence of a storm and at the end of that time the condition of the steerage accommodation was foul and loathsome beyond comprehension. The doctor who was on board told me he could stand a great deal, but when he went down into the steerage the stench was so bad that it turned his stomach, and he became violently sick. I have also called the attention of the Government to the want of interpreters on board these ships. A friend of mine who has only recently left these services told me that last year on one of the ships there were a great many people of different nationalities, including a number of Norwegians, and as there were no interpreters, these people were placed sometimes in a condition of dire extremity through not being able to get what they wanted. During the last eight or ten years I have been on board some twenty of these large steamers, and I have observed that the hospital is placed in them wherever it will suit the

convenience of the company, and not in the best place as regards health, or as being easily got at. If a man meets with a serious accident or is taken ill on board a ship cruising in the Atlantic it may not be always very easy to convey him to the hospital, unless it is located in a convenient and proper situation. Within the last two years a doctor on board one of these very large steamers of modern construction was going along the deck to the hospital, which was situated near the stern, when he got two of his ribs broken. On another occasion a doctor who was going to a hospital situated on the deck got his arm broken. When these things have happened to medical men who were going to attend patients, it must, as I have said, be sometimes very difficult for a patient who is ill, and especially a man with a broken leg, to get to the hospital when it is inconveniently placed. Then, again, a case of infectious disease might easily get on board one of these large ships, carrying as they do sometimes 1,500 passengers, and it has been proved that such cases have been taken on board. Will it be said that the ordinary hospital is the proper place in which to deal with such a case? I would suggest that a small hospital should be partitioned off for the use of anyone who gets on board and is afterwards found to be suffering from an infectious disease. The present Minister for the Colonies told me some time ago that there is always a special cabin fitted up for the surgeon. Since that statement was made I have visited at least 30 of the ships, and I can assure the right hon. Gentleman that it is not the case. There ought on every ship to be a small surgery where the medical man could keep drugs and make up medicines for any cases that came under his charge. There is another subject on which I desire to make a suggestion. There are some hundreds of thousands of men who go to sea in the ships of our Mercantile Marine. Of course, it would be nearly impossible to provide any proper medical attendance for the sailors on the smaller vessels, but I would suggest that in the case of ships containing a certain complement of men, and going to Australia and other distant parts, employment should be given to gentlemen who have not completed their course, but have taken their half course, and who are often employed in this country. I think also it might be easy and beneficial to establish some kind of *entente cordiale* between the Inspectors of the Board of Trade in this country, and the gentlemen who visit the American liners on their arrival in New York, so that the Reports of the latter might be transmitted to the Board of Trade Inspectors. I know very well that Governments are frequently trammelled by the great power of the Shipping Companies; but if the Government cannot see their way to carry out all the measures which are needful, they might at any rate take a step in the right direction and grant an inquiry into the subject-matter. In so doing they would be fulfilling their duty; they would be aiding the afflicted, and I believe they would also be doing credit to themselves.

Dr. Tanner

IRISH ADMINISTRATION.

(9.19.) MR. SEXTON (Belfast, W.): As I see the Solicitor General in his place I would take this opportunity of drawing his notice to a case in which, in my judgment, there has been a gross violation of the law by servants of the Crown. I refer to the case of John Daly, a convict now in Chatham Prison. Questions have been more than once addressed to the Home Secretary on the subject, and I am sorry for the sake of humanity and for the credit of this House that when those questions were asked the hon. Member for South Tyrone (Mr. T. W. Russell) and the hon. Member for South Belfast (Mr. Johnstone) interjected questions as to what crime Daly had been sent to prison for. I venture to say that, no matter what may be the offence for which a man has been sent to prison, he is equally entitled to be treated according to the law; and I would lay down the general principle that, whilst other classes of Her Majesty's subjects are pretty well able to protect themselves, prisoners are peculiarly unable to do so. If they are subject to any ill-treatment, it is only at the hands of this House that they can receive a measure of protection. John Daly was convicted by the Treasury of having dynamite in his possession for an unlawful purpose. I have no intention of questioning the justice of the verdict; but in the City of Limerick

where this man was born and spent his life, and in the County of Limerick where he is very well-known, the almost universal opinion of his character and disposition is such that the people do not believe it possible that the criminal intention which the jury found in his mind could exist. Whatever may be the explanation of the circumstances which led to his conviction, at any rate the people who know him best do not believe he could have entertained the intention of using the dynamite as a means of outrage upon property, still less upon life. That belief entertained in his native county has led to public action, and I freely confess the existence of that belief does exercise some influence upon myself in drawing attention to Daly's case. But I return to the principle, that no matter what may have been the offence of which he has been found guilty, it is not good law, and in regard to this particular class of offence. I go so far as to say it is not good policy to allow the prison officers to treat a man who is suffering the heavy sentence of penal servitude for 20 years with illegal cruelty. When a man is convicted of such an offence, there is a special danger that the prison officials may be actuated by a special animus against him, and may treat him with exceptional cruelty, and it is purely by an accident that I am able to draw the notice of this House to the case of this man. A meeting of the citizens of Limerick was held in November last, the High Sheriff in the chair, to consider a report upon the ill-treatment of Daly, and a gentleman named James Jones, who, in May last, visited Daly, gave an account of what he had heard from Daly, and of the impression left upon him by the visit. Mr. Jones said that when Daly ventured to enter into the details of his treatment, a warder threatened to send him back to his cell. My first point is that a man in this condition ought, in common justice, to be allowed to communicate to a visitor to the prison any complaint he has to make. Mr. Jones went on to say that he was horror-stricken at Daly's appearance, for all his features bore traces of cruel suffering. Daly, Mr. Jones continued, was at death's door; his treatment was fearful; he was worked to such an extent that his arms were swollen until he thought the flesh would burst, and the agony he suffered was intense. From the bad and insufficient food supplied to him he had an attack of dysentery; but the doctor was not allowed to see him for a week, and when he was ordered to the hospital, he was put in a bath for half an hour, and compelled to wash his clothes whilst he was scarcely able to support himself in the bath. Now I come to what appears to be a perfectly wanton refinement of cruelty—

"He was at that time entitled to receive a visit——"

[An hon. MEMBER: "What are you quoting?"] I am quoting from the speech in which Mr. James Jones gave an account of his interview with Daly.

"He was at that time entitled to receive a visit every six months, and his sister applied on four different occasions for permission to see him. He was refused a visit on the ground of what they were pleased to call misconduct. He was only counting the days in expectation of receiving a visit, and when he inquired if no one was coming to see him he was told 'No, there is no one coming to see you; your family must have entirely forgotten you.' This told on him severely, for it caused him great mental anguish to think he was forgotten by all, when at the same time he was most careful to do nothing which might cancel his right to a visit."

It appears from the account of my friend that though at this period the prisoner was entitled to several visits, his sister was turned away. Mr. Jones went on to say—

"The prisoner has never had an opportunity of making known the tortures of this hell which it is."

At the meeting in Limerick, which was presided over by the Queen's principal Officer in the county, the High Sheriff, most indignant resolutions were unanimously passed in favour of a sworn inquiry into this and other cases. But since the date of this meeting the extraordinary and mysterious fact has transpired that a drug, which in any quantity is poisonous, but which in a certain quantity is deadly—belladonna—has been administered to this prisoner under such circumstances and in such quantity as to challenge the gravest question. I should like to know if the Queen's Government have taken a leaf out of the prison system of Russia. I am aware that in Russia is certain cases, and especially in cases of political prisoners, belladonna is administered to

prisoners for the purpose of breaking down their nervous system—to render them more helpless in the hands of the gaolers. I believe that in cases of capital punishment, it is administered to prisoners in order that, by a breaking down of the nerves, they may die a coward's death on the scaffold. I shall request the right hon. Gentleman to offer any explanation he can upon the fact of the administration of the drug to a prisoner. It would be strange, indeed, if a great Power like England had stooped to this mean and wanton cruelty even against a man convicted of a dynamite offence. There is another remarkable circumstance in connection with the case. Daly was visited in prison by Richard Pigott and also by an agent of the *Times*. The prisoner stated to Mr. Jones that Pigott visited him, and that shortly afterwards he received a visit from an agent of the *Times*, who offered liberty and a certificate of indemnity if he would give information before the Commission against Parnell. I admit that inquiries we have been able to make do not bring us beyond this point, that various convicts in various prisons, especially those prisoners convicted of some serious offences, have been approached by agents of the *Times* with offers of liberty and promises of fortune if only they would swear against my hon. Friend, not what is true or what is false, no inquiry was made as to that, but to swear what happened to be convenient to the confederates of the Government in the case proceeding before the Special Commission. Now, I say no prisoner should be subjected to this kind of treatment. I say, moreover, that while on the one hand I shall never be debarred by any innuendo or sarcasm from taking up the case of a dynamiter if he is treated with illegality and cruelty, so I am ready to bring forward the case of any prisoner convicted of any other offence, if his treatment requires it. I make no distinction. I say the infliction of this treatment on this man, the administration of belladonna, is particularly open to question, following as it did the visits of Pigott and the *Times*' agent. I am aware that the Home Secretary is pursuing or supervising an inquiry into the subject. He stated yesterday that a chemical analysis was being made; I presume in relation to the administration of the belladonna, and he said—and I make no complaint of his answer—that he would endeavour to expedite that inquiry, which, however, I may mention, has occupied an inordinate length of time. The greater part of the treatment of which I complain dates back to last May, and it is several months since the belladonna was administered. I think if this man had not been convicted of a dynamite offence, this time would not have been allowed to elapse. I do not feel that to-night I have a right to challenge the Home Secretary to make a conclusive declaration upon the facts; but I have a right to claim from him an assurance that in view of the grave and shameful character of the narrative, Members of the House are entitled to be placed in a position to satisfy themselves by a perusal of the evidence of the sufficiency of the inquiry and Report. I lay it down as a principle that where prisoners are helpless to defend themselves—and I say this without regard to the nature of the crimes they may have committed—from proceedings at the hands of officers of the law, and when categorical charges of inhuman treatment are made, the officials of the prison have a right that their vindication shall be made public as the friends of the prisoners have a right to demand the fullest inquiry into the facts. Neither the Home Secretary or any other Minister of the Crown has a right to place himself in opposition to the Representatives of the people and arrogate to himself the duty of screening the actions of servants of the State from the inquiry of Members of this House. I ask the Home Secretary for an assurance that the Report and evidence shall be laid before us, and unless that assurance is forthcoming I shall make the only protest in my power, and divide the House against the Motion that the Speaker leave the Chair.

(9.35.) MR. J. O'CONNOR (Tipperary, S.): During the remarks of my hon. Friend, the right hon. Gentleman opposite asked him from what he was quoting, and my hon. Friend said he was quoting from a speech of Mr. Jones, in addressing a meeting at Limerick last Saturday; and lest there should be any doubt on the mind of the Home Secretary, I wish to state that I can, from personal observation of Mr. Daly,

corroborate everything said by Mr. Jones. More than 12 months ago I applied for a special order for myself and my hon. Friend the Member for West Limerick, to visit Mr. Daly, and we were led to make that request because we had heard that the prisoner's relatives in Limerick had obstacles placed in the way of their visiting him, and we also heard that Mr. Daly was being unnaturally and brutally treated in prison. We did not hesitate to go and visit Daly, although, perhaps, it was a dangerous thing to do at the time when charges were being levelled at Members sitting in this part of the House, and it was a delicate thing for any one of us to visit a man convicted of a dynamite offence. Nevertheless, in the spirit that has been so well expressed by my hon. Friend (Mr. Sexton) we put aside these personal considerations, and, in accordance with feelings of common humanity, visited a man whom we had known in early life, and a man whom we knew from that acquaintance was incapable of committing the offence of which he was found guilty. I share the feeling that exists among his fellow-citizens and his fellow-countrymen that Daly was unfairly treated at the time of his arrest and trial. The people of the city and county believe, and I share the belief, that he was entrapped into this offence, and that there are some men not far removed from Scotland Yard who know all about the offence much more than the man who has suffered these terrible hardships in prison. It was in that spirit my hon. Friend the Member for West Limerick and myself visited Daly towards the close of 1888. The appearance of the prisoner certainly shocked me. I knew John Daly some years ago; he was then physically a fine, strong man, and I thought that no ordinary prison regimen could have reduced him to the condition in which we saw him then. He seemed to have been suffering very much, and one thing I noticed, and it is a result, I believe, that attends long and severe imprisonment, he had lost nearly all his teeth. This is a result of continued bad food. He had lost his teeth, his eyes were weak, and during our conversation perspiration oozed from every pore. I concluded that he was in a low and excited state, and excited he no doubt was at meeting two of his old acquaintances. He made several efforts to communicate to us something he had upon his mind. Now, my hon. Friend and I impressed upon Daly the necessity of conforming to prison rules. We had had experience of prison discipline, and know that the most agreeable way of getting through a term of imprisonment is to submit to regulations with such patience as you can command, and get on the side of the Governor and officials. Daly assured us positively that he entered the prison with the intention of conforming to prison rules, and behaving as becomes a good prisoner; but, he added, having pursued that course for some time, he found it was of no use or benefit to him whatever. He said, or endeavoured to convey as well as we could gather, that some other prisoners had spoken to him, and then he was immediately stopped by the warder, who said, "Speak about yourself, sir, not of anybody else." Then he was endeavouring to say that what "they" wanted was an inquiry, but when he used the word "they" the warder would not allow him to proceed any further. Daly then said, "I want nothing for myself, but what I demand for others. What we want is inquiry." The warder then threatened to send him back to his cell. All efforts to communicate his grievances were rudely stopped by the warder, but before the term of our brief visit—20 minutes—was up, he assured us that he had entered the prison determined to be a good prisoner, but that he had been driven from that by the treatment of the prison officials. That he had suffered severely was evident to me from his appearance. I feel it my duty to say this much in corroboration of the statement made just now. One other thing Daly said I might mention. He said he wanted an inquiry, but he had no hope of leaving his prison alive. He could not, he said, in his emaciated condition last much longer under the brutal treatment to which he was subjected. To his old friend and neighbour the hon. Member for West Limerick—and I shall never forget the meeting between the two men—he said—

"I may never see you again; I cannot long exist; give my love to my mother and sisters. It will be too painful to see them here under the

conditions we should be obliged to meet. If they come, I hope they will be able to bear it; but if I never should see them, tell them I died as I lived, loving them and my country."

These were the last words we have had from John Daly, and I do not think I need offer any apology for having mentioned this, which was a most affecting interview. I had not an opportunity of repeating the visit last year. I would do so no matter what might be the interpretation placed upon my action. I feel strongly for the man, and believe thoroughly in his innocence. I feel for him, because he has been subjected to harsh and brutal treatment under the impression that he is guilty of the heinous offence of conspiring to blow up public buildings with dynamite. We know that in English prisons dynamite and Fenian prisoners are treated with exceptional harshness, because the officials believe that popular feeling is strong against such offenders; but towards all our fellow-countrymen, no matter what may be the charges against them, we shall endeavour to do our duty.

*(9.45.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATHEWS, Birmingham, E.): The hon. Member who has just sat down, has suggested to the House that Irish prisoners such as John Daly are subjected in English prisons to treatment other than the treatment other felony prisoners receive, but that is absolutely without any foundation.

An hon. MEMBER: I do not believe it.

*MR. SPEAKER: Order, order!

*MR. MATTHEWS: There is not a syllable of truth in the allegation. From time to time I have carefully watched the treatment of Daly, my attention being called to his case by the frequent complaints that he, like other prisoners, has been in the habit of making to the doctor; and, upon the replies to my minute inquiries, I can assert most positively that Daly's treatment is in no way different to that of any other prisoner undergoing penal servitude. The hon. Member will understand that I naturally feel that I had better not say all I know of the case of Daly while inquiry is proceeding—an independent inquiry. The hon. Member for West Belfast said that charges had been categorically made, but I hardly know what these are he refers to. The charges brought to my notice—I have not got all the Papers here—are contained in a Green Pamphlet which gives a Report of the first public meeting when this subject was mentioned and when a great variety of charges was made, the most important being suggestions that inasmuch as Daly had refused to give evidence on behalf of the *Times*, he had been subjected since then to a different and harsher treatment. That is a most serious charge; and I can assure the hon. Member that when it was brought to my notice, I did not lose a day, but instituted a most full and elaborate inquiry, the result of which is in the Report I have before me. But this Report was made by the Director of Convict Prisons and officials responsible for the treatment of Daly and, therefore, would not, according to the usual habit of hon. Members opposite, of which I do not complain, be accepted as satisfactory by them. Anxious, therefore, that the charges should be fully met, and to set at rest all doubts in the minds of hon. Members and to satisfy them, if possible, I directed the Visitors of Chatham Prison to make an inquiry in their own way entirely independent of mine. I have scrupulously abstained from interfering with this inquiry, only giving these gentlemen any assistance they ask for, as, for instance, providing them with the services of a chemical expert. I have not hurried them. I have given them *carte blanche* as to the method they should follow. As the first step in their inquiry they began by hearing Daly, and they have perfect liberty to call for any prisoner and any prison official, from the lowest warder to the Director of Convict Prisons. I have not interfered with or attempted to control their freedom of inquiry in the east; and when the inquiry is complete I will most certainly, the matter being of such importance, communicate the result to the hon. Member and the House. I believe a correct record is being kept of the evidence taken. I do not know whether its value and importance may be such as

to make it a special document to lay on the Table of the House; but it shall be communicated to the hon. Member, and all who are specially interested in the subject.

DR. TANNER: And the nature of the analysis?

*MR. MATTHEWS: With that I am imperfectly acquainted. The hon. Member knows that, in the first instance, when this unhappy accident occurred, the prisoner was suffering from a very painful disorder, I will not call it a complaint, for which a prescription was made out, and approved by more than one doctor, for I always take care that unusual symptoms shall have outside treatment to confirm that of the prison doctor, and even grant the request of a prisoner for the attendance of a particular medical man in certain cases. In the mixture prescribed belladonna was one of the ingredients, and the compounder, by some blunder or mistake, put in an extra quantity beyond what was prescribed. From the mixture so compounded three doses were administered before the evil effects were observed. I have a Report from Dr. Gover, who was sent to make inquiry, and he says, after examining the patient, that heart and lungs are sound, and there are no symptoms that the overdose of belladonna has had any permanent effect, and that he is free from any organic disease.

DR. TANNER: What about heart and brain?

*MR. MATTHEWS: Heart and lungs are said to be sound. The hon. Member has the advantage of me in medical knowledge. That is the way the accident arose, the belladonna being in excessive strength. I gather that a sample of the mixture was sent for analysis to Dr. Stevenson at Somerset House, and that the Visitors have thought proper to inquire whether the belladonna from which the quantity was taken for mixing had not itself become too strong through length of time it had been in stock. I believe the suggestion had been conveyed to the minds of the Visitors that the accident might be due to the store itself being of undue strength, and that would relieve the compounder from the charge of having made a mistake. That is one of the additional analyses the Visitors require to have made together with the remains of the mixture actually administered to Daly. Allusion has been made by the hon. Member for West Belfast to the visit of Pigott. Questions upon this I have answered more than once, and if there is any inconsistency in what I may say now with what I have said before it must be attributed to fault of memory, as I have not my memoranda here. Upon some points my memory is clear. It is absolutely untrue that Mr. Soames had an interview at all. Pigott proposed to visit Daly as a friend, having known Daly in Limerick in former days. Daly was asked if he preferred to see Pigott or—and here I am not quite clear—whether he would see Pigott or Mr. Jones, or at least some distant relative. The prisoner, having the alternative, elected to see Pigott, and Pigott called as a personal friend, without any mission from any other human being, from Mr. Soames or anybody else. No offer was made to Daly by Pigott as has been suggested. The conversation that took place was in the presence of the warder, the visit was that of an old acquaintance, and it was unconnected with Mr. Soames in any way whatever. Daly has complained of his treatment, it is true, and it is not to be wondered at that convicts should complain of the discipline to which they are necessarily subjected. It was never intended that it should be agreeable or other than punitive in character, and Daly is treated as other convicts are. I repeat that since I have been responsible I have seen that nothing was done in Daly's case that was not fully warranted by the Prison Rules and prison discipline; and with regard to his health, unusual and special precautions have been taken. He has had doctors selected by himself. No doubt two years ago he had rather a serious illness.

MR. J. O'CONNOR: Have you ever received his written complaints from the Governor?

*MR. MATTHEWS: I received written complaints some two years ago. Daly had an illness. He got the idea into his head that he had got cancer in the stomach, and I sent down Dr. Clarke, in whom hon. Members have confidence, to see him, and it turned out that he was suffering from dyspepsia. On every occasion that Daly's complaints have been received I have taken the utmost care that they should be investigated. The administration of belladonna was a serious mistake, but he was at once sent to hospital, and he recovered within 36 hours and was as well as before.

MR. SEXTON: The right hon. Gentleman has not said anything about the visit of Thompson, the *Times* agent, to Daly.

*MR. MATTHEWS: Thompson did visit Daly as the representative of Mr. Soames. In answer to the questions of hon. Members on former occasions, I gave every detail that occurred. I cannot without the papers charge my memory with the details.

*SIR J. SWINBURNE (Staffordshire, Lichfield): Will Her Majesty's Government give any compensation to this man, who has been accidentally poisoned and seriously injured in health through the fault of the prison officers?

*MR. MATTHEWS: Every statement made by the hon. Member is incorrect. Daly was not poisoned; he was not injured in health; he rapidly and completely recovered in a few hours; and it is not the intention of Her Majesty's Government to offer any compensation.

MR. J. F. X. O'BRIEN (Mayo, S.): Sir, from my own experience, I can vouch for this fact, that it is quite possible for prison treatment to be made more severe or more mild without infringing the Prison Rules. It is entirely at the will of the prison officials. I desire to express emphatically my entire distrust of any report of the prison officials with regard to any case of the kind. I have a very clear remembrance of the case of O'Donovan Rossa, and his prison treatment was over and over again denied in this House, until it had finally to be acknowledged on investigation. I must say that, after the long delay in getting a satisfactory explanation of this case, I am by no means reassured, and I am very much inclined to fear that Daly's refusal to swear for the *Times* is now being revenged upon him in prison.

MR. BLANE (Armagh, S.): The right hon. Gentleman, who firmly believes the officials as against the prisoners, seems to forget that this is not the first case. In 1887 I went to visit Donnelly in Chatham Prison, at the request of his father, who is one of my constituents, and who was too old and poor to travel the distance. I thonght it a charitable act to comply with his request, and I saw Donnelly, who spoke to me under all the difficulties described by my hon. Friend the Member for Tipperary. The officials continually interfered between the prisoners and the visitors. If a visit of twenty minutes is to be allowed, I think the convict should be allowed to use them to the best advantage. And surely there should be some distinction made in the case of Members of this House who visit prisoners. When I visited Donnelly I was put in a sort of sentry box to speak to him, while two or three warders stood by. But what happened to this man Donnelly? As far as I can understand Donnelly was asked to swear against Mr. Parnell, and I have information that he was poisoned or done away with within a few months of my visit. That is a very serious state of affairs, if true. Donnelly was a strong, stout youug man, and he was invited, as Daly was, to swear against Mr. Parnell. I think the invitation came to him in the month of August, 1887, and he was dead in October, 1887, under these suspicious circumstances. I think this interference of the warders between a prisoner and his visitors should not be tolerated by the authorities. Because a man has committed a crime or offence he ought not therefore to be outside human sympathy. Recent investigations show that persons in high places can stoop to crime the mention of which would be resented by these convicts to whom I refer. I think Members of Parliament, when visiting prisoners, should not be limited in time and opportunity to speak to them, nor should the warders be present, because if

the prisoner makes a complaint, as soon as the visitor is away that prisoner is punished. There is constant flogging in Chatham and other prisons for slight offences. It is natural that a man should attempt to escape, and it is the duty of the warders to prevent him, yet if he make that attempt some sleek and well-shaven visitor orders him 50 or 100 lashes, and these are administered with such ferocity that sometimes the man's bones are left bare. Over and over again these floggings take place. There is another matter the Home Secretary should interfere with. Though flogging is done away with in the Army, a prisoner for some trifling offence may be sent to a military prison where he may be ordered, if I am not astray, 100 lashes. The severity of the flogging is such that very often a man's feet are surrounded in his own blood. You have done away with flogging in the Army, and you ought to do away with flogging in prisons. Prison discipline is sufficiently stringent, without the addition of corporal punishment. It is a degrading punishment, and can only be countenanced by a class of men who do their best to bring us back to the bad evil times. I think the Home Secretary should give this matter careful consideration. When severe punishments were inflicted for trivial offences, those offences were much more numerous. The only effect of these severe punishments is to increase the number of offences. Since the punishment of hanging for sheep stealing and other offences has been abolished, the number of those crimes has greatly decreased, and this is a proof that the more just and humane punishment is made, the more reformatory are its effects.

(10.16.) DR. TANNER: May I ask the Government for an answer to the few observations I delivered?

THE SECRETARY TO THE TREASURY (Mr. W. L. JACKSON, Leeds, N.): In the absence of my right hon. Friend the President of the Board of Trade, I can only say that I believe he has under his consideration the subject brought forward by the hon. Member.

DR. TANNER: When am I likely to get a definite answer?

MR. JACKSON: That I cannot say.

DR. TANNER: Then I will bring the matter forward on the Estimates.

Main Question put, and agreed to.

SUPPLY.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

MR. J. O'CONNOR (Tipperary, S.): I wish to ask for information from the Irish Government in reference to two matters which I mentioned in my speech yesterday.

THE CHAIRMAN: The hon. Member cannot go into the matter on the present Motion, but will have another opportunity of doing so. The only question before the Committee is the Motion to report Progress.

DR. TANNER: Is it the intention of the Committee not to proceed any further with business this evening, and were you only moved into the Chair in order that you might evacuate it? Do the Government only want to take this stage?

MR. JACKSON: That is all.

Question put, and agreed to.

House resumed.

SUPPLY—REPORT.

Resolutions [20th March] reported.—(See Page 1261).

Resolution agreed to.

Resolution 2.

(10.20.) MR. J. O'CONNOR: I have again to express my regret that I am obliged to renew my references to matters which I brought forward yesterday. Last night I asked the Chief Secretary why it was that the sub-inspector and constable against whom a verdict of wilful murder had been returned by a Coroner's jury in Tipperary had not been put upon their trial, and the right hon. Gentleman informed me that they were to be put upon their trial at the next Assizes. I want to know upon what authority that statement was made, because it has greatly astonished the people of Tipperary, for I hold in my hand a telegram from Father Humphries

from Tipperary, who says, in reference to the verdict of the Coroner's jury and the proceedings before that body, that the inquiry was so impartial that the "Packer," then the Attorney General and now Chief Justice O'Brien, did not dare to take the case before even the accommodating Judges of the Court of Queen's Bench, but that he got two Removables to hold a sham trial and to acquit the incriminated inspector and constable. It is evident that the Chief Secretary does not know exactly what has happened, and I therefore desire to get from some Member of the Irish Government further information on the point. There is another matter, and one of perhaps greater importance, in respect to which I desire some explanation. The Chief Secretary last night, in the course of his speech, referred in very strong terms to the alleged fact that stones had been thrown by a mob in Tipperary at a policeman who was attending the burial of his child, and he became very indignant and powerful in the course of his remarks on this point, hurling very heavy reproaches at the people of the town for such conduct. Now, I took the opportunity at the time of denying positively the statement made by the Chief Secretary, and challenged its truth. I asserted to the House that the story had no foundation whatever in fact, and demanded the authority of the Chief Secretary for the statement. This afternoon Father Humphries has telegraphed to me—

> "The statement that a constable was stoned by a mob while burying his child has startled the people here; can find no one who has heard of it."

Now, this statement involves a serious charge against my constituents; and on their behalf, seeing the Attorney General for Ireland in his place, I demand an explanation and the authority on which the statement was made. In the course of our remarks, we alluded several times to the fact—which was not denied—that the police had on more than one occasion in Tipperary and at Cashel desecrated the graves of the people, invaded the burial grounds, insulted the mourners, and otherwise interfered with a ceremony so sacred to the feelings of Irishmen. Now, we have Father Humphries' denial of the right hon. Gentleman's accusation,

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and I say that it is important to the people of Tipperary and to the House that some satisfactory explanation should be given by the Irish Government on the matter.

*(10.30.) Mr. P. J. O'BRIEN (Monaghan, N.): I desire to support the appeal of the hon. Member for Tipperary for a reply from the Government. In my opinion, it was the hon. Member for South Hunts who supplied the Chief Secretary with the information. I was able last night, from my personal knowledge, to contradict the statement at the time it was made by the Chief Secretary. No doubt there is some ill-feeling between the people and the police, but it is not the fault of the people. We know that if the inhabitants of a village in England were police-ridden like those in Tipperary are, they would soon show their resentment, and we recently had experience in Wales where the people, in connection with the tithe agitation, vigorously protested against unfair use of the police. Now, the police in Tipperary have persecuted a Mr. O'Dwyer, Town Commissioner, a man who wielded considerably more influence in the town than is possessed by the Chief Secretary in the country, and when Mr. O'Dwyer's remains were being conveyed for interment two months' ago, the police interrupted the funeral procession with rifles in their hands in order that they might get first to the grave; and on the flags of the foot-path was posted a placard, signed by Caddell and other minions of the Chief Secretary, warning the people against an illegal assembly, round which were posted four policemen armed with rifles standing in the way of the funeral procession. Nothing was further from the minds of the people than to make any attack, but it is evident that the desire of Mr. Caddell was to provoke a riot in order that he might make another Peterloo. A week after Mr. O'Dwyer's funeral, when his poor widow, acting on my advice, opened the business premises a day or two later, within two hours three ruffians of police served her with a notice that her licence would be opposed, on the ground presumably that she was a bad character, and that her house was being improperly conducted. Anything more inhuman or mean has never

been perpetrated in any country, and yet the Chief Secretary wonders that ill-feeling exists between the people and the police. I saw a very different funeral in that town a fortnight ago. Some men of the Manchester Regiment are quartered there, and a private recently died, and as his remains were being carried through the streets an evicting gang were engaged in turning the people out of their houses, and yet the enormous crowds which were assembled remained uncovered while the *cortége* was passing, and treated the remains of this private soldier with the utmost respect. That is not all. After serving Mrs. O'Dwyer with the notice that her licence would be opposed, the police set about to get a licence for an emergency man—a gaol bird. Of course they were successful, and now the place where that man carries on business is filled with policemen all day guzzling and gorging themselves with drink. I now wish to refer to another matter. There was a certain warder employed at Tullamore in a subordinate position at the time a suit of clothes was, despite the efforts of the Government, supplied to my hon. Friend the Member for North-East Cork. Of course, every one in the prison from the Governor downwards was suspected; several warders were removed to other gaols and finally the warder Golding, to whose case I particularly refer, was dismissed. I am in a position to say that the man had nothing whatever to do with conveying the clothes to my hon. Friend. When the inquest was held as to the cause of the death of my friend John Mandeville, Golding was called and gave evidence as to the treatment of the deceased in prison. He was at once charged by the Government with perjury, and was sent for trial, being let out on bail and ordered to appear at the next Assizes. He duly attended, but the trial was put off, and though he subsequently obtained employment in England he was compelled to attend at two subsequent Assizes, and even was not then placed before the jury, although he was perfectly willing to have the case investigated. Now, I maintain that the Government never intended to try him; but all that they wished was to discredit the evidence he gave at the Mandeville inquest, and that it was also desired to strike terror among other prison officials, who fancied that they had hearts, and did not wish to see political prisoners done to death. Now, I ask the Government why this charge of perjury was not proceeded with, and I intend to raise this question until I get a satisfactory reply. Next, I want to know something about the treatment of the late doctor of Tullamore Gaol. I knew Dr. Ridley personally; he and his family were well-known to my family, and he told me that he was being driven almost mad by Dr. Barr, who was sent over from Liverpool to spy upon his actions. It was not in his nature to treat any one harshly, and certainly he would not have been a worthy son of his father had he done so. He was obliged, in consequence of the persecution to which he was subjected by Barr, to come over to England, and in his absence his work was done by his cousin, Dr. George Ridley, who had taken his place at other times with the consent of the Prison Authority. After Dr. Ridley's death Mr. George Ridley filled his post for two months, and it was naturally expected that he would be appointed to the vacant post, but suddenly a Dublin Castle favourite was sent down to fill it. That is another instance of the petty meanness of the Government.

(10.50.) DR. TANNER: Before the right hon. Gentleman replies I should like to get some assurance from him on the point I raised yesterday concerning the doctor of Clonmel Gaol. I do not like to speak adversely of any member of the medical profession, but I submit that the extraordinary fits of aberration which are characteristic of Dr. Hewitson show him to be entirely unfit for the position he holds, and I think he might reasonably be removed to another position in which he could do less harm. I must say that the Irish prison authorities have strange ideas as to how Irish Members of Parliament ought to be treated. After my release from Clonmel last autumn I had occasion to visit a Roman Catholic clergyman who was confined in the gaol at Cork. He was then an untried prisoner, but I was compelled to see him in what is known as the Cage, and a warder was placed between us, who took every

opportunity of interrupting our conversation in the most insulting manner. When I asked the rev. gentleman if his sight was good, I was told "You must not speak about sight; that is a question for the gaol authorities," and again, when I asked if the walls of his cell were tinted—knowing, as I did, from personal experience the effect upon eyesight of the whitewashed walls—the warder again interrupted with a like observation. I went to that interview with the intention of not breaking the rules, but this is how I was treated by the warder, whose name has been refused to me, but who, I am told, is an Orangeman, who shows his dislike of Nationalist Members by thus aggravating and insulting them. Now, I ask the Chief Secretary to obtain for me the name of this man, in order that in Committee of Supply I may move the reduction of the Wages Vote by the amount of his salary. Hon. Gentlemen will recollect the disgraceful way in which our Board was superseded, and in which the paid minions of the Government were put in possession of it. The Board had been well managed by the elected Guardians. Everybody in the south of Ireland understands why it was done away with. It was done away with because we were not going to be rough ridden over by the right hon. Gentleman (Mr. A. J. Balfour), or any of his creatures in the country. I speak as one of the ex-Guardians of the Union. The right hon. Gentleman, about two years since, turned round to his Conservative supporters in Ireland and asked them how it was they did nothing on Boards throughout the south of Ireland. It was only from that time that the *ex officio* Guardians began to try and prevent the free expression of opinion. I may be told that we were breaking the rules of the Board. We only did what our Tory predecessors did again and again, in passing a political Resolution. There were no rules passed by the Cork Board of Guardians, which were binding on us. There were, it is true, a number of printed rules hung up at the end of the Board room, but inasmuch as the Local Government Board ordained that every freshly elected Board should draw up rules for their own guidance, and as that was never done, those rules were practically not binding on us as a body. It may be said that I spoke strongly to the hon. Member for South Hunts (Mr. Smith-Barry); I said no word that was untrue, I spoke the whole truth and nothing but the truth. At the same time we Nationalist Members of the Board had a wanton and aggressive minority in front of us—a minority who did everything they could to stir up strife in the Board room, knowing that they had the Government at their backs, and that the Government would try to make confusion worse confounded. What has happened since has borne out what we said at the time, namely, that it was the intention of the Government, not merely to dragoon the people, not merely to prevent us on our public Boards giving voice to the opinions of our constituents, but, through the Local Government Board in Ireland, to give a more vicious, a meaner, and a more underhand stab at people who should be cared for by everybody in the community. The Government have been treating in a cruel manner people who were suffering from poverty, which has been in great part created in consequence of the numbers of people who have been driven from our shores. They thought, "Well, we will try at any rate to inflict our vengeance upon these people." Many of them have been most respectable people in days gone by, but, through being deprived of their sons and daughters, who have actually had to fly the country, to seek in other countries what is denied them at home, have been plunged in poverty. Having naturally a great dislike to go into the Union, they were granted small sums in the way of outdoor relief. It was in order, if possible, to degrade these poor people that this step was taken. However, the City of Cork has taken up the challenge. We find that—right, centre, and left—people are not paying their rates. I have not paid mine, and I do not intend to. Let them have my goods if they like. The Mayor of Cork, the High Sheriff, and all the persons returned to responsible positions by the body of the people have taken up the gage of battle, and I think Her Majesty's Government will be rather sorry before the end is reached. The Government are determined that any suing for rates should be conducted in as high-handed and illegal a way as pos-

sible. The other day, in the Cork Police Court, a number of these cases should have been dismissed on their merits, but the magistrates, instead of dismissing them, granted an adjournment in order that the Vice Guardians might mend their hand. Mr. Sarsfield, the collector, is a mere gambler in the City of Cork, and might with much greater propriety have been appointed to a position as billiard-marker. This creature would do anything his masters bade him, and when he made a mistake he was backed up by Mr. Gardiner, R.M., at the Police Court, and everything was done to secure that the Vice Guardians should be maintained in their position. I really think the right hon. and learned Attorney General (Mr. Madden) ought to give us an assurance that he will look into the state of things existing in the City of Cork, and notably into these proceedings at the Police Court. In any event, we hope that before long the present Government will be superseded, and that peace and goodwill will prevail in Ireland under the Government of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone).

*(9.9.) Sir J. SWINBURNE: I wish to call attention again to the case of the convict Daly. I do not know of what he was convicted, but he was visited whilst in the convict prison by Mr. Thompson, the agent of the *Times*. He was urged by Mr. Thompson to give evidence in favour of the *Times*, and against, the Irish Members. He resisted the inducement, although I am informed he was offered a certificate of indemnity, and was told that every force would be brought to bear in favour of his getting a free pardon if he would give the desired evidence. He declined to do that, and we find that shortly afterwards he was partially poisoned. The right hon. Gentleman the Home Secretary has accused me of inaccuracy in saying the man was poisoned, and I, therefore, qualify that by using the word partially. But he received three separate doses of bellādonna from the prison attendants, he being hopelessly and helplessly in their hands, and I am afraid we cannot acquit the medical officer of having had a hand in the affair. One dose might have been given accidentally, but here we have three separate doses administered. If such a thing had occurred in Bulgaria, Siberia, or in Naples—and I remember the Neapolitan prisons when I was a boy, as there were great cruelties practised in them, though poison was never administered—one might have understood it, but not so occurring in England. Three doses of poison were administered, and the Home Secretary would have us believe that the man's health is none the worse, nay, he would persuade us that he is all the better for it. Surely the Government should consider the desirability and justice of ameliorating the treatment of Daly, if not, indeed, of shortening his term of imprisonment. I do not think anything stronger can be alleged against the Government as to their treatment of prisoners, whose political views are in direct opposition to their own, than their action in this case. I do not think a case ever happened where a convict was wholly or partially poisoned without some compensation or consideration being extended to him. I do not know, Sir, whether it would be competent for me to move an Amendment in reference to this case, at this stage; but if it would be, and I could get a seconder, I would move one.

*(11.18.) Captain VERNEY (Bucks, N.): I hope we shall not be allowed to pass on to the next Order without some answer being given to the statements which have come from this side of the House reflecting on the Irish Administration. It seems that a verdict of wilful murder has been returned by a coroner's jury against certain policemen in Ireland. The Chief Secretary stated last night that the men against whom the verdict was returned would be tried at the Spring Assizes; but this evening a telegram has been read declaring that the men have been tried before the Magistrates in an underhand and secret way, and have been discharged. An incident of that kind must cause a very painful impression in this country. The Government and hon. Gentlemen opposite surely cannot desire that a verdict of wilful murder against the police should be lightly regarded. It cannot be pretended that it would be for the benefit of this country, or of Ireland, that that should be so, and yet no answer has been made. I waited until you were just about to vacate the Chair, Sir, before venturing to trouble

the House, because I hoped some Member of the Government would get up and offer an explanation, or at least assure the House that the matter should receive the serious attention of the Government. This is not a Party question, and I implore hon. Gentlemen opposite not to treat it as such; it is due to the House and to the country that in a case in which a verdict of wilful murder has been returned against the Irish police we should have every explanation. If the verdict was undeserved let us know it, but do not let us treat the matter lightly.

*(11.21.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): If I do not reply in detail on the various points raised by hon. Gentlemen opposite I assure the House it is through no want of respect to those hon. Members who have addressed the House. But the House will agree with me that it is not satisfactory to attempt to answer questions unless I have had an opportunity of actually examining the Papers. If hon. Members really desire information and give me notice I shall be happy to answer their questions; but I cannot enter into these matters and reply without previous reference to the Papers, especially as most of the questions raised are not questions which come under my Department. As regards the case referred to by the hon. and gallant Gentleman, if he puts a question down on the Paper I will tell him exactly how the matter stands.

(11.23.) MR. E. HARRINGTON (Kerry, W.): I would ask the right hon. and learned Gentleman's attention to the answer given earlier in the evening with regard to the alleged confessed immorality of an Irish Magistrate, as appearing from that Magistrate's own admissions in the course of a trial before the County Court Judge of Kerry. Reference was made to the conduct of this gentleman in a County Court; but the remarks were not heard by the reporters or the Bar, though in some way or other the reference was heard in the quarter for which it was intended. I would ask whether as it has been announced that the Lord Chancellor should be influenced by the opinion of a Judge, the Attorney General for Ireland does not conceive it to be his duty to direct the attention of the Lord Chancellor to the opinion expressed by the County Court Judge who heard the case to which I have referred in its incipient stage. The custom has gradually grown up in Ireland of treating these County Court Judges like the highest Judges in the land; and the Judge in this case is one who I understand is in every way in sympathy with the Government. He has expressed a strong opinion in the case of this Magistrate; and I ask the right hon. and learned Gentleman to indicate to me, if only by a nod, that he will seek the opinion of the Judge in regard to this George Sandes.

*(11.26.) MR. MADDEN: I would point out that it is no part of my duty to call the Lord Chancellor's attention to the conduct of Magistrates. But no doubt the Lord Chancellor's attention will be called to the case by means of the question put in the House this evening, as the Chief Secretary has said, and he will make inquiries.

MR. SEXTON: I must express my surprise that all these formalities should be necessary in order to draw the attention of the Lord Chancellor of Ireland to such an outrageous scandal as the continued presence on the Magisterial Bench of a man of this character. The Lord Chancellor of Ireland does not live in the clouds. He lives in Ireland, and is supposed to take interest in everything that goes on there. Does the right hon. and learned Gentleman contend that the official who is responsible for the Magistracy is entitled under any circumstances to ignore such a fact as a Magistrate admitting on oath in a Court of Law that he had seduced a woman who had come to his office—he being a land agent at the time—in reference to litigation in which she was engaged, and that he had made such a practice of seducing the wives and widows of tenants who came to his office that he could not swear the number was less than 12, though he could swear it was under 40? Why, the thing sounds much more like an Oriental story than an occurrence possible in our own country. When we find a Nationalist Magistrate removed from the Bench for an offence against the unwritten law, such as acting officially in another Petty Sessional District, though not out of his own county—when we see a Lord

Lieutenant doing that without a question being addressed to him—it is strange that we should have so much formality in a case where a Magistrate has been guilty of such a gross offence as that of Mr. Sandes, and where we have animadversions on his conduct on the part of a County Court Judge. I trust that not many days will elapse before the Lord Lieutenant does his duty in this case.

Resolution agreed to.

WAYS AND MEANS.

Resolutions [20th March] reported.

1. "That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1889 and 1890, the sum of £548,181 6s. 3d. be granted out of the Consolidated Fund of the United Kingdom."

2. "That, towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March 1891, the sum of £16,395,203 be granted out of the Consolidated Fund of the United Kingdom."

Bill ordered to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr. Jackson.

Resolutions agreed to.

CONSOLIDATED FUND (NO. 1) BILL.

"Bill to apply certain Sums out of the Consolidated Fund to the Service of the years ending on the thirty-first day of March one thousand eight hundred and eighty-nine, one thousand eight hundred and ninety, and one thousand eight hundred and ninety-one," presented accordingly, and read the first time; to be read a second time upon Monday next.

SOUTH INDIAN RAILWAY PURCHASE BILL. (No. 195.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(11.34.) MR. A. O'CONNOR (Donegal, E.): This, Sir, is a Bill which relates to a portion of the Empire, the inhabitants of which have no effective control over the administration of affairs in their own country. It is only in this House that there is the best chance of justice being done to them in any respect. With reference to this particular measure — which is a large measure of a financial character—a Resolution was submitted in Committee, and was passed in Committee late at night without a single word of explanation. That Resolution was reported with only a show of explanation when it was challenged, and the right hon. Gentleman who made that explanation will, I feel sure, not be offended if I say he did not appear to possess any more information than he was bound officially to possess, which was absolutely nothing. He did not inform the House of the character of the Bill, of the reason why it was introduced, or of the conditions attached to it. And now we are asked, after half-past 11 o'clock, to read the Bill a second time without a word of explanation as to its scope or the justification there may be for it. The measure proposes to enable the Secretary of State for India to deal with a sum of no less than five and a quarter millions sterling. The Preamble sets forth that

"Whereas the Secretary of State in Council, by virtue of the power vested in him, under a contract between him and the Company, give notice on the third day of March, 1890, to the South Indian Railway Company, of his intention to purchase the undertaking of the Company. Be it enacted," &c.

We have had no explanation how it is that the Secretary of State is vested with authority to go to a Company in India and say, "I will buy your Company for £10,000,000 or £15,000,000," or whatever he agrees to give, and how is it that then, without the people of India having an opportunity to express their views, an arrangement can be made to saddle them with an annual charge for an undertaking that may be perfectly worthless? I think it is due to this House that some sort of explanation should be offered, not only with regard to the contract under which the Secretary of State

has the power to offer to buy this South Indian Railway Company, but also as to the condition of the railway itself, and the reasonableness of the sum of money offered for its purchase. The contract exists. We are not told what its terms are. I am aware that in one case, at any rate, of a guaranteed railway, the Secretary of State undertook to contribute so much a year, or at any rate to pay a certain amount of interest for 25 years on condition that, at the end of the term, he should be at liberty to give notice of the purchase of the line at a sum not exceeding 25 times the average annual profit of the last five years. But are these the conditions upon which this line is to be purchased? We are not told what they are. If they are the conditions, the Indian Government ought to get the line for nothing. We are to be asked to vote an amount of between £5,000,000 and £6,000,000 for the line. Before we are asked to consent to saddle the people of India, who are already exceedingly heavily burdened in respect of railways, with this further sum, we ought to be told what are the further liabilities which the Government will incur in respect of the line, over and above this large sum. For instance, what are the liabilities in respect of allowances which appear to figure so heavily in every Department of the Indian Service? Then I should to ask what is the condition of this line? Is it a line of some 654 miles in length, running from Madras to Trichinopoly and another place in the Presidency of Madras? I do not know what its condition is, and I defy any one who takes the trouble to wade through the Annual Reports of "the moral and material progress," as it is called, of the people of India, through the different Reports of railways furnished to this House, or the Annual Statistical Statements of the Indian Empire, to find any indication of the condition of this line. But what we do know from the Report of the Committee of this House in the year 1871, is that one of the railways started in India not so very many years before, and purchased at the expense of the people of India, was in so bad a condition that within a very few years no less than 2,000 bridges and other important structures had to be rebuilt at the expense of the public. It may be that this line is in no better a plight. So much with regard to the condition of the line and the relations of the company to the Government. The Secretary of State is to be allowed to raise this money in bonds and debentures and stock at such interest as may appear to him to be necessary, or fit and proper. But we are not offered a single word of explanation as to what interest these bonds, or debentures, or stock are to bear, or at what prices or on what terms they are likely to be issued. Then what is the history of the line? Its history is, no doubt, in point of passenger traffic and goods traffic, in one respect satisfactory, because the number of passengers has gone up within a comparatively small number of years from 5,000,000 a year to about 7,000,000, and the amount of goods carried from some 827,000 tons to over 1,000,000 tons. These figures will be found in the Statistical Abstract for India, issued last Session, pages 161 to 169. But that is not everything. It is necessary to compare the receipts and expenditure for the corresponding periods. If we do that, what do we find? We find that of all the guaranteed railways in India this is far and away the most unsatisfactory. The Madras Guaranteed Railway is worked at a per centage of working expenses to gross receipts of 58. The Oude and Rohilkund Railway is worked at an average of 57·38, the Great Indian Peninsula at 46·2, and the Bombay and Baroda at 44 per cent. This line has been worked at a total of no less than 68·98. This is a highly unsatisfactory line, which you propose to buy at the expense of the people of England. The capital expended on the South Indian line to the 31st of December, 1888, was £4,695,000. The net revenue was £160,000 for the year, but the amount of guaranteed interest was no less than £213,600, so you have an annual loss of £53,000. And this is the Government you are going to perpetuate, and this is the kind of Bill which is submitted to the House of Commons, late at night, without a single word of explanation from any

responsible Minister. I think there is good ground for objection against legislation of this kind, especially when it is in regard to a community which has no effective opportunity of expressing its grievances, or protecting itself from injustice. I believe you are buying a thing which, as regards real market value, is practically worthless. I should like to know all the conditions of the contract entered into by the Secretary of State with the Company. The House ought to be put in possession of the terms of that contract before it is invited to consent to the appropriation of this money. As a matter of fact, I think this railway ought to be left on the hands of those who own it, and if it can be worked at a profit, well and good. The State does not come down in England and buy rotten concerns in the shape of railways. It may be contended that this line is important from a strategic point of view, but I hope, before any hon. member accepts that argument, he will carefully consider where this line runs—it runs down to near the southern extremity of the Peninsular from Madras. It is nowhere near the Russian Frontier; nowhere near Afghanistan, or any place where there may be frontier disturbances. These are considerations which strike one on looking at the Bill. Now, I have employed half the time allowed for the discussion. I leave the other half of the time for a satisfactory explanation, if it be possible, at the hands of the right hon. Gentleman who has charge of the Bill.

*(11.45.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Nothing could be more legitimate than for the hon. Member, who is interested in the subject, to ask for an explanation of the measure, but he does less than justice when he says I have offered no explanation hitherto of the provisions of the Bill. When I moved the formal Motion in Committee, on Friday last, I stated to the House that it was intended by the purchase of this line to save the revenue of India £37,000 a year—I think I said about £40,000. I could do no more at the time, but on the next occasion I gave fuller explanation, though, unhappily, it was at such a late hour it could not be listened to. I shall be happy to give such other explanation as is in my power, though I admit I am at a disadvantage owing to the absence of my right hon. Friend (Sir J. Gorst) who is attending the Labour Conference at Berlin. I think, however, I can satisfy the House there is no job in this matter, and that it is a profitable transaction to the revenue of India. I need not go into the political question. Those responsible for the government of India have well considered this matter, and I think they are entering into a transaction which is for the benefit of India. I ask the House to consider, in the first place, that, unless the line be purchased, the Government of India is committed to pay a guaranteed interest of 5 per cent. for 999 years upon the capital expended in the construction of this railway. It was one of the early railways of India, formed upon a comprehensive plan, and calculated to develop the resources of India, providing, as it did, the main trunk routes. At the time the guarantee was made, 5 per cent. was the normal rate of interest in India. In 1873 there was an amalgamation of two separate lines, and the opportunity was afforded to the Secretary of State to take power to purchase the undertaking in 1890, by giving notice after the 1st of March upon a valuation on an average of the price of the stock during the last three years. On the 3rd of March, accordingly, the Secretary of State gave the requisite notice, and valuations were made on his part and on the part of the Railway Company, which did not greatly differ. The difference was readily adjusted, so that the value of the 5 and $4\frac{3}{4}$ per cent. stocks, calculated on the average price of the last three years, was reckoned at an amount of £4,197,557. That is the price of the 5 per cent. stock., together with a small quantity of $4\frac{3}{4}$ stock—only, I think, £142,000; and there are debentures which mature at periods dating from 1891 to 1896. The annual saving by this transaction will be £36,813. The hon. Member asks

what security is there to the public that this line will not involve a heavy additional capital expenditure? Will the House take it from me that that security is afforded under the provisions under which guaranteed lines are inspected by officers of the Government of India, and the necessary amount expended annually? I state this from my own knowledge, having administered for five years railways over a large part of India, which is under the Bombay Government for railway purposes. I assure the House that every care is taken that the railways are maintained in a thoroughly regular manner, so that no further capital charge can fall on the State. The hon. Member has referred to the fact that the working expenses of this line are 68 per cent. of the gross receipts. That is true, and there is an annual loss of Rx 64,000 on the guaranteed interest of the railway. That loss will be diminished by the sum I have mentioned. It is an exceedingly useful line for the general purposes of India, and its receipts are increasing. It is really too late now to debate the question of a general railway policy. The railways have been made, and are, broadly speaking, remunerative. No doubt there are some railways which do not earn the interest guaranteed on their capital, besides the military lines. But they are protective in another sense, not less important. They indirectly repay their cost, and some are in themselves guarantees against famines. The railways are very closely scrutinised and administered by highly honourable men, and it is an unworthy thing to say that the accounts are not correct. There is no question that this expenditure on railways has been highly profitable to India, and I submit that the House would do well to sanction this purchase.

(11.55.) MR. A. O'CONNOR: I should like, with the indulgence of the House, to explain that I have examined all the Blue Books sent here from India, and I find it is perfectly impossible to reconcile any two of them, that the annual statement of revenue does not agree with the Railways Returns, that the figures are given differently, sometimes in rupees and sometimes in pounds sterling, and that it is quite impossible to make the thing out.

*(11.56.) SIR J. LUBBOCK (London University): I am sorry we have not longer time to discuss this question. Nevertheless, I think we are indebted to the hon. Gentleman for bringing this question forward. I regret this purchase, not on the ground the hon. Member has stated, but on a different ground. I believe it is not to the interest of any country that its railways should be in the hands of the Government. Railways are much more likely to develop under a system of open competition, and if the hon. Gentleman goes to a Division I shall certainly follow him into the Lobby. At the same time, I wish just to explain that I am satisfied there is no job whatever in this matter, and that the Indian Government have exercised every care in the provision they have made with reference to this purchase.

(11.58) SIR U.KAY-SHUTTLEWORTH (Lanc., N.E., Clitheroe); I should like to point out that this is a case in which there is a guarantee from the Government, and that consequently there is a loss every year which the Government has to meet. This contract will result in a saving of £36,000 a year, and therefore in the interest of the Indian people we should do well to consent to this Bill.

DR. CLARK (Caithness): We have never yet received any satisfactory reason from the Government as to why they pick and choose between the railways. Why not buy the Great Peninsula Railway?

It being midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

ARMY (ANNUAL) BILL.—(No. 194.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

DR. TANNER: Last night my hon. Friend the Member for East Donegal remarked, as a reason for not passing the Second Reading of the Blil without being acquainted with its contents, that it might contain important alterations. The Bill was only issued this morning, and though I confess I am not well acquainted with these matters, there seem to me distinct changes in the Bill in Section 5; and upon these I think we may well ask from the right hon. Gentleman a little enlightenment.

MR. SEXTON: I also wish to refer to the circumstances under which Army pensioners may forfeit their right to the receipt of pensions ——

*MR. SPEAKER: This Bill only deals with the discipline of the Army.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I shall be glad to offer any explanation or information that may be desired, though it seems to me the points raised could be better dealt with in a Committee discussion. Still, if desired now, I will shortly state the reasons for the changes. Three clauses have been amended in connection with administration in India. There is a provision that the Commander in Chief in Madras and Bombay may limit sentences passed on soldiers. That I think, speaks for itself. The Indian Government further desire that the Act should be amended to enable persons holding commissions in the India Reserve to be subjected to military law whenever they are called out. Another change is made at the request of the Admiralty in reference to the service of Royal Marines. These are matters of detail, and offer no reason why the Bill should now be read a second time

MR. A. O'CONNOR: One of the questions has relation to a reserve of officers in India, but, if I am not mistaken, as yet no such reserve exists. There may be in the mind of the Secretary for War a design to establish such; but are we not asked to legislate in advance on that point?

*MR. E. STANHOPE: That is so.

MR. A. O'CONNOR: What is the nature of the Reserve; how will it be formed? I think we ought to be in possession of the legislative proposals.

MR. SEXTON: I will reserve the points I wish to raise for Committee.

MR. BLANE: One point there is that has relation to discipline in the Army—the punishment by flogging. This is not abolished in military prisons. I would ask the Secretary for War what number of men were flogged in these prisons last year, or, perhaps, he will give me the information at a later stage.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

TREES (IRELAND) BILL.—(No. 70.)

Considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2.

Amendment proposed, in page 1, line 9, after the word "shall," to insert the words "subject as hereinafter mentioned. —(*Mr. Macartney.*)

Question proposed, "That those words be there inserted."

DR. TANNER: I should like some explanation of this before assenting to it.

MR. MACARTNEY (Antrim, S.): It is purely consequential, and refers to the Proviso I propose to introduce at the end of the clause, and which I consider vital to the Bill.

DR. TANNER: Was it introduced into the Bill last year?

MR. MACARTNEY: It refers to the Act upon which the Bill is founded. Of course, if the hon. Member objects there is an end to progress now.

DR. TANNER: But the hon. Member can answer me. Was it introduced in

the House of Lords, and was not the Bill in consequence given up by my hon. Friends?

MR. MACARTNEY: Really I have not the slightest idea what are the views of the hon. Member's friends.

DR. TANNER: I cannot accept the Amendment.

MR. MACARTNEY: Then, Sir, I move that you now report Progress.

Committee report Progress; to sit again upon Monday next.

COUNTY COUNCILS ASSOCIATION EXPENSES BILL.—(No. 152.)

Lords Amendments to be considered forthwith:—

Lords Amendments considered.

Several agreed to.

Several disagreed to, and Consequential Amendments made to the Bill.

Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the said Amendments:"

Mr. Ritchie, Sir Ughtred Kay-Shuttleworth, Mr. Long, Mr. Shaw Lefevre, Sir Michael Hicks Beach, Mr. Jackson, and Mr. Fisher nominated Members of the Committee:—To withdraw immediately:—Three to be the quorum.

Reason for disagreeing to Lords Amendments reported, and agreed to:—To be communicated to The Lords.

RAILWAYS (TIMES OF TRAINS).

Return ordered—

"For alternate months during the year 1890, commencing with January, from the Great Northern, Great Eastern, London and North Western, Great Western, Midland, South Eastern, London Chatham and Dover, London Brighton and South Coast, and London and South Western Railway Companies, showing the arrival at London stations of all Passenger Trains, as shown in the published time tables of the Company, in the form set out below:"

"The Returns to be compiled from the guards' reports or journals; and London stations to mean, for the Great Northern, King's Cross; for the Great Eastern, Liverpool Street; for the London and North Western, Euston; for the Great Western, Paddington; for the Midland, St. Pancras; for the Chatham and Dover, Victoria, St. Paul's, and Holborn Viaduct; for the South Eastern, Cannon Street and Charing Cross; for the London Brighton and South Coast, London Bridge and Victoria; and for the South Western, Waterloo.

	Percentage to time and 3 minutes late.
	Percentage between 3 and 5 minutes late.
	Percentage between 5 and 10 minutes late.
	Percentage between 10 and 15 minutes late.
	Percentage between 15 and 20 minutes late.
	Percentage between 20 and 25 minutes late.
	Percentage between 25 and30 minutes l ate
	Percentage over 30 minutes late.
	Total number of Trains.

—(*Mr. Baumann.*)

MOTION.

WOMEN'S DISABILITIES REMOVAL BILL.

On Motion of Mr. Haldane, Bill to remove the Disabilities of Women, ordered to be brought in by Mr. Haldane and Sir Edward Grey.

Bill presented, and read first time. [Bill 198.]

House adjourned at twenty minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 24th March, 1890.

COUNTY COUNCILS ASSOCIATION EXPENSES BILL.—(No. 37.)

Returned from the Commons with certain of the Amendments agreed to, with Amendments and Consequential Amendments; and several others disagreed to, with a Reason: the said Amendments and Reason to be considered To-morrow.

BUSINESS OF THE HOUSE.

THE EARL OF KIMBERLEY: Perhaps I may be allowed to ask the noble Marquess if he is able to give us any information as to the probable duration of the Easter Recess.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): We shall rise as usual on Friday next, only I believe there are Money Bills to receive the Royal Assent, and, therefore, we must nominally sit on the Saturday. The Bills in the other House of Parliament are not proceeding at any unusual or extravagant pace; and, therefore, if we meet again on Thursday after Easter week, I think it will be time enough.

VOLUNTEER EQUIPMENTS.

*EARL PERCY, in rising to call attention to the means to be adopted for providing equipments for the Volunteer Force, said: My Lords, perhaps I ought to offer some apology to your Lordships for bringing forward a matter which has been lately the subject of debate in the Lower House of Parliament, but I do so for two reasons: In the first place, it appears that the Motion which was brought forward in another place embodied within it two things which appear to be entirely different and distinct: one was as to the debt which had been incurred by Volunteer Corps in past years, and the other was as to the demands which have lately been made upon those corps by the Regulations of the War Office. Now, I have nothing to say with regard to the debts which have been incurred by Volunteer Corps in times past. They have been incurred for various purposes. In some cases, no doubt, they had been incurred for purposes which were absolutely essential to the efficiency of the force, and they have no doubt been undertaken in some cases with the greatest regard to economy and to all prudent considerations; but in others it is said, though I do not speak from my own knowledge on this point, that they have been incurred not for matters which were absolutely necessary, but for the convenience of the officers and other members of the corps, and upon rather an extravagant scale. If this be so, I confess it seems to me it would be extremely difficult for the Government to discriminate between the two cases; and, at any rate, it may be said that the corps have incurred those expenses with their eyes open; that they knew what they were doing, and that they have small claim to be relieved from the liabilities they have so incurred. However that may be, I do not wish to press this point upon your Lordships' attention to-night; but what I do wish to press upon the notice of this House and especially upon that of the Government is the position in which the Volunteers are placed by the regulations with regard to equipment. The decision which was arrived at in the other House of Parliament is supposed outside, rightly or wrongly, to have been in some degree influenced by Party considerations. Whether that be so or not it is not for me to say, but it is an additional reason for my bringing the subject forward here to-night, because I think it will be very much to be deplored if a decision with regard to the maintenance of the National Forces of this country should be even suspected of being arrived at upon Party grounds and for Party considerations. My Lords, the War Office Circular, issued on the 27th of May last, mentioned two classes of equipment which, it was held, was absolutely necessary to render the Volunteers capable of taking the field in times of emergency. With regard to the second of these two classes, the War Office is prepared to pay to each Volunteer Corps £2 2s. per man on mobilisation; but with regard to the first class, it is expected that the Volunteers shall obtain the whole of this equipment without the slightest aid from the public funds. I

do not clearly understand whether this sum of £2 2s. is in any degree to recoup the corps for the expenditure which they are now asked to incur; but as the money, which must be obtained for the equipment now required, is to be furnished from private sources, and as the £2 2s. is to come to the corps at some very indefinite period of mobilisation, it is difficult to see how it is possible for the Volunteers to recoup themselves out of it in any way. Therefore, it must be understood that the equipment, which is now demanded of the Volunteers, is to be supplied entirely from their own resources, or from those of private persons. And in a subsequent clause of this Circular the corps are told that if this equipment be not obtained within a certain time the grant, which has hitherto been given for efficiency, will be withdrawn. Now, my Lords, I hold that this proceeding is wrong in principle and entirely unprecedented. I do not believe that there is any precedent for asking for the supply of the necessary means for conducting the Public Service out of private funds. I am aware, indeed, that when the Volunteer Force was first raised, when the system was still a tentative one, that the necessary funds to maintain them were sought for to a large extent from private sources; but from the time that the Volunteers became a recognised portion of the Forces of the Crown, the claim has never been disallowed that it was the duty of the Government to supply the means for rendering them efficient in every respect. The Volunteers give their time and services voluntarily; and the well-understood bargain with the country was, that as those services were given voluntarily, the country would, in return, undertake the charge which was necessary for making those services available. I think there can be no doubt about that, if we look at the Report of the War Office Committee which sat upon this question in the year 1887. There is not in that Report one single sentence to show that, in the opinion of that Committee, there were any grounds for this country shirking the responsibilities which it has been hitherto understood they have adopted. I observe that it has been said, on behalf of the Government, in another place, that the increased Grant for efficiency which was given a short time ago was given for the purpose of supplying the equipment which is now demanded, or a part of it at any rate. I can see nothing leading to that conclusion in the Report of the Committee, which recommended this increased Grant for efficiency. The words of that Report are these—

> "Taking as a model a regiment with eight companies of 80 men each, we consider the necessary charges for which no special allowances are made, and which, therefore, have to be defrayed from the Capitation Grant, will amount to about £1,108; the total Efficiency Grant which the Corps might earn would only be £960; a deficiency of £148 per corps may, therefore, be presumed to exist at present, and we consider, on the whole, that good grounds exist for a Deficiency Grant of 5s."

That shows, my Lords, clearly that this increased Grant was for the purpose of meeting charges which the Volunteers were then liable for, and not for meeting charges which the Government or the War Office might propose at some future day to lay upon them. The Report then goes on to say that as far as Artillery Corps are concerned they are in a still worse position than Infantry regiments, and that it would be advisable to give them the same Grant under even more favourable conditions. It is perfectly true that since then an issue of 2s. per man has been given in order that Volunteer corps might provide themselves with great coats; but a great coat varies in price according to the corps—on the average a great coat costs 20s.; and the whole assistance, as I understand it, which the Volunteers receive from the War Office in order to supply them with great coats is an assistance which will, in 10 years' time, enable those great coats to be obtained. There is one part of this subject as to which I confess myself quite unable to follow the calculations of the Government. I see it was stated on their behalf in the House of Commons the other day that 3s. 6d. would cover the whole cost of the equipment which was demanded by them immediately with the exception of the great coat. Now, the equipment which is demanded by them immediately is a pouch, haversack, waterbottle, and mess tin. I have not been able to ascertain exactly the cost of the pouch; but pouch and belts will cost 11s. However, I presume that is not

what is required by the Government, for the cost of a haversack is 10½d., of a water bottle 1s. 6d., and of a mess tin 1s. Therefore, it follows that the pouch, in the opinion of the War Office, is to be provided at the cost of 1½d. Without being able to say positively what the amount is, I think I may safely assert that 1½d. will not meet it. But if Lord Harris's Committee of 1887, to which I have alluded, thought that 4s. 7d. per man was a charge which ought not to be put on Volunteer Corps, and recommended that 5s. should be granted in addition to meet it, surely it is not to be wondered at if an additional cost of even 3s. 6s. per man suddenly thrown by the Government on them should be thought a hardship. It is considered by the Volunteers, and I think quite rightly, that this is a great breach of faith with them. The compact—perhaps not a written, but a well-understood compact between the Volunteers and the country—was, as I have already said, that if they rendered their services voluntarily, and gave up their time and energies to fitting themselves to perform their duties, the Government on its part would supply them free of cost with the means of maintaining that efficiency. But they still further feel themselves aggrieved by the tone of the last clause to which I have alluded in the Circular of the 27th May last. It was surely scarcely necessary, in addition to putting this charge upon the Volunteers, to hold out a threat that the Efficiency Grant would be withheld under certain circumstances, which is tantamount to the corps being disbanded. I think it was hardly desirable to tell the Volunteers that unless they met this additional claim which was made by the Government their services would be dispensed with altogether. It has been the custom to sing the praises of the Volunteers at inspections, at reviews, at public dinners, and in various quarters. Those praises have been sung not only by ordinary Members of Parliament, but by high officials, both in the Army and in the State. Perhaps they have sometimes verged upon the limits of hyperbole; perhaps it was thought right that Government should restrain the tendency which may have existed to over-rate the services of the Volunteers. Perhaps it was right that Her Majesty's Government should dissemble their love; but was it quite necessary, I would humbly submit, to give so very severe a kick downstairs to the object of their affections? I think, my Lords, that was a very unfortunate letter; but the strong point which I would urge is that the demand is, in its essence and on principle, one which ought not to be made. What is the position of the Volunteers at the present moment? It is, perhaps, unfortunate that a general protest against the proceedings of Her Majesty's Government was not made at the time. It is now nearly a year since this Circular was issued, and although I believe there was a protest then made no very overt expression of opinion has been made since. We cannot regret that the patriotism of the country and of the Volunteers themselves in the first instance prompted them to see how far they could meet the demands which were made upon them, though they thought those demands were unreasonable. There can be no doubt about this: that whatever efforts have been made the sum necessary for this purpose has not been raised, and in the vast majority of cases there is very little prospect that it will be. A great deal of caution should be used with regard to the reports which we hear on this subject. I was told myself that in several boroughs, the sum required, or something like it, had been raised. I am not able at present to give any statistics upon the point; but I know that in one or two instances in which I have made inquiry I have found these reports to be totally unfounded. In one particular case of a large borough I was told that the necessary funds had been raised, and raised easily and promptly. This was a very large borough, and one where I should have thought trade was good and prosperous. I wrote to one of the Commanding Officers there to know what was really the state of the case, and he informed me that, so far from the necessary sum being raised, there was a very large amount of it still wanting; and he added, somewhat gloomily, "I shall probably have—as I have often had to do before—to meet it out of my own pocket." Now not only

has this sum not been raised, but the opportunities which Volunteer Corps have of raising it vary very much. There are some boroughs, and even, perhaps, some counties, which happen, from various causes, to be more wealthy than others. They may sometimes be the very places where the number of Volunteers is small. In other cases you may have a county or a borough in which there is a very large number of Volunteers, and where the means of providing them with money is not large. It is, I think, a most unfair demand; it puts these different corps in a most invidious position, that they should, in the first place, not only have to provide these equipments sometimes, and in other cases not possess them for want of means, but that they should be liable to this tremendous penalty, which is totally independent of their making themselves efficient in the sense in which it is generally understood, that if they do not do what is required now of them by the Government, they will be disbanded. Even where this objection is not put forward on the ground that the money is not easily obtainable, I know that this demand is felt to be wrong on the ground of principle. I know one case in which the strongest objection has been made on principle to it, not from any wish to close private purse strings, but on the ground that the cost of performing public duties should be defrayed out of public funds. There have been instances where the strongest objection has been made to giving a shilling in answer to the demands of the Government, and I am not altogether surprised at that being the case when I see the language which is sometimes used on behalf of the Government with regard to this subject. I was struck by the following statement, which I understand was made on their behalf the other day: "If a balance were to be struck between what the public had done and what the Government had done, the speaker thought that the Government might take this opportunity of putting forward what had been done towards making the Volunteer Corps efficient." But, my Lords, this is the first time that I ever heard of a national force being maintained upon a balance struck between the public and the Government. Is it to be understood that we are entering upon a new epoch in which the public requirements, either local or Imperial, are to be met partly voluntarily and partly by the Government? If this principle that when you wish to make a public force efficient you are to supply the means for doing so partly out of the taxation of the country and partly out of public contributions is to hold good; contributions, mind you, not given voluntarily, but demanded as a kind of benevolence from the people, then I should like to know where we are to stop? Why should not the same demand be made for the Army or the Navy? Why, if you wish for an increase in the Police Force in a County, or if you want greatcoats or other clothing for the Police Force in a Borough, should not the Local Authorities have a right to say that they would not supply them unless the public came forward and assisted? Still less ought they to be allowed to add, as a threat, that if the public did not come forward half of that Police Force would be dismissed. I cannot help thinking that this demand has in it the small beginning of a very dangerous experiment, and that it is necessary we should make a protest against it. It is, no doubt, disagreeable for the Volunteers to have to come forward *in formâ pauperis*, after all the time and trouble they have bestowed, and all the money which many of them have expended—(and remember, my Lords, that the War Office Committee mentioned the large sums which many Volunteer Officers have spent) I think it is hard that, after all the Volunteers have done in this way, they should have to come forward *in formâ pauperis*, and beg for assistance to provide their equipment, in order to enable them to avoid this terrible consequence of disbandment which is held over them. But they will feel, I trust, that this is put upon them through no fault of their own. I do not doubt that if the Government still hold the view that this regulation ought to be maintained, the Volunteers will have no hesitation in meeting the demand, and that others will be ready to help them. I do think it is a most unfortunate course which the Government has entered upon, and I trust they still may give us some hope that they will recede from it. My Lords, I have brought forward this question in no contentious spirit. I have

put no definite Motion down upon the Notice Paper, because my object is not so much to ask the opinion of this House upon the question, although I trust some noble Lord will be found willing to add anything which I may have omitted on the subject in the remarks I have made. I have brought forward the matter in the hope that the case having been brought before their notice in the other House of Parliament, and in view of the feeling of the country, which is undoubtedly well-known to them, Her Majesty's Government will give us some hope that they will reconsider the decision at which they have arrived, and retire from a position which I believe is really untenable, and which places the Volunteers at so great a disadvantage.

*THE MARQUESS OF RIPON: My Lords, having had some personal experience of this matter during the last few months in my position as a Lord Lieutenant, I trust your Lordships will allow me to say a few words on the subject. I cannot say that I agree with the principles and theory which have been laid down by the noble Earl who has just sat down, although I am brought reluctantly, I must acknowledge, by my experience, to the same conclusion as that at which he has arrived, namely, that there is no alternative, if these equipments are to be provided, as I think they ought unquestionably to be provided for the Volunteers, but to provide them out of the public funds. I must say I have never been able to feel that Her Majesty's Government were wrong in making their appeal in the first instance to the Volunteers themselves, or rather I should say to their supporters and friends in the country. I think the noble Earl is quite wrong in the view which he takes of the principles upon which this force was originally established. My recollection carries me back very well to that time. I was then connected with the War Office, so that I know the facts as they then stood, and for the noble Earl to say that the Volunteer Force, when it was originally established, was not a portion of the regular Forces of the Crown is really quite a mistake. There was some doubt at first as to the extent to which the movement might go, but the moment that it was perceived that the movement was taking the very large extension which it did within a very short time, the Volunteer Force became completely a portion of the Forces of the Crown, and as we all know, at that time there was no idea of giving to them any portion of public money or any equipment except rifles and ammunition, and after a short time drill sergeants. Therefore, really, the noble Earl ought not to charge his noble Friends below him with any breach of faith in this matter. There has never, so far as I know, been any such understanding between the Government and the Volunteers as that to which the noble Earl points, and, therefore, I must certainly acquit Her Majesty's Government of having broken faith with them in the smallest degree. I quite admit at once that, except possibly in London, of which I do not now speak with any special knowledge, it would be quite impossible for the Volunteer Corps, out of the Government grant, or out of the resources of the officers, or members of the Corps, to supply the funds necessary for this purpose. If Her Majesty's Government expect that to be done, then I think they have gone upon a mistaken idea. I agree with the noble Earl that the grant at present made is not sufficient to meet this charge; and I am quite sure of this, that members of Volunteer Corps, and especially the officers, have thrown upon them now quite as heavy money charges as they can possibly be expected to incur. The Volunteers give the country their time, and they give, in most cases, a good deal more—a considerable portion of their money. My Lords, there are, however, men in the country who might easily come forward and help in this matter. What is wanted is the supply of these articles once for all. In the earlier days of the Volunteer movement there were not merely among the officers, but in the ranks, a large number of wealthy men. That is much less the case now. Naturally, perhaps, men of that kind, when the excitement has passed away, have very much withdrawn from active service in the Volunteer Force; but I do think that that same class of men who came forward very readily at the beginning of the movement might again come forward and help in this matter, and supply for the Volunteers, in the first instance, this equipment, which is in the nature

of an expenditure of capital, which Her Majesty's Government now ask for. That the Government are right in requiring that the Volunteers should have this equipment as necessary for their efficiency I suppose no one entertains any doubt? But, my Lords, the fact of the matter is, according to my experience of it, that the views which have been put forward to-night by the noble Earl are so widespread in the country that you will not get this money out of the public. I have done my best in the North Riding of Yorkshire, of which I am Lord Lieutenant, to obtain this money. I have issued circulars, called meetings, and appointed Committees. The sum wanted was between £4,000 and £5,000, and up to the present time I have been able to obtain very little more than £1,000. I am very certain that after the conclusion to which the House of Commons came the other night I have no chance, nor has anybody else any chance, whatever of getting any more money out of the public. I am therefore forced, from my own experience, to come to the same conclusion as the noble Lord, and to assure Her Majesty's Government that I do not believe they will find it possible to obtain this equipment from private sources in the country. They may, no doubt, do it here and there. I have myself taken part in a movement which has been somewhat more successful than that of which I have been speaking, in regard to the single battalion of which I am Honorary Colonel, but even there we have not got all the money wanted. I am quite certain that in the rural districts, unless the state of things is very different elsewhere from that existing in the part of the country which I have had to do with, there is very little chance of this money being provided by public subscriptions of any kind. But this equipment is very necessary; the Volunteers ought to have it, and I do therefore venture to join in the appeal made by the noble Earl not as a matter of principle, but upon purely practical grounds, and to press upon Her Majesty's Government the necessity of accepting the defeat which befel them in the other House, and of providing this equipment from taxation out of the funds at their disposal. I am not here to defend the latter part of the Circular of the Adjutant General, and I do not think the language there employed was calculated to help myself and others who have been engaged in doing what we could to forward the policy of Her Majesty's Government in this respect. However, we have failed, and I therefore again beg to press upon Her Majesty's Government that if this thing is to be done, as I think it ought to be done, it must be done out of public funds.

*VISCOUNT BURY: My Lords, as I have had the honour of being connected with the Volunteer Force almost from its very beginning, I think it right that I should ask your Lordships to allow me to say a few words on this subject. I cannot quite agree with the noble Marquess of Ripon, who has just sat down, in saying that when the Volunteers first came into existence it was not the intention of the Government to give them anything in the nature of assistance except rifles, ammunition, and drill sergeants. You must remember the circumstances under which the Volunteer Force came into existence. A sudden panic arose in England, and very naturally the manhood of the country rushed forward to place their services at the disposal of the Government and to offer their assistance in allaying that sudden panic. It was not known at that time that the movement would develop an enormous Force which could take its place in line with the other Forces of the Kingdom, or that it was going to extend over a period of now more than 30 years. Naturally, when the Volunteer Force thus originated took root as a permanent feature among the institutions of the country, it was at once seen that the Government must support them with help both in money and in kind, so as to make the Volunteers efficient if they were to be useful. As early as 1862 a Royal Commission was appointed to consider the matter, and the Committee originated the Capitation Grant under which the Volunteer Force have so long existed. Since that time several Committees and Commissions have sat upon the subject; and I will ask your Lordships to observe that the net result of every one of those Committees and Commissions has been an expression of opinion, first, that the Volunteers were giving as much as they could reasonably be expected to give to the Public Service of the country; secondly, that they were

in the main efficient; and, thirdly, that they ought to be still further helped. The first Capitation Grant that was given to the Volunteers was but a small one. The next time a Commission was appointed an additional grant was given to the Volunteers, on the ground that with their increased efficiency and with the increased demands upon them it was the duty of the Government to do a little more for them. Then shortly afterwards came a Committee over which I had the honour to preside, and my noble Friend Lord Wantage was with me at the War Office. We went minutely and during a very long period into the circumstances connected with the Volunteers, and the result we arrived at was that the then Capitation Grant was not entirely sufficient, and that it—the deficiency—ought to be supplied. Then, in the year 1887, Lord Harris presided over a Committee which came very much to the same conclusion. One sentence especially in the Report of that Committee I remember very well. It stated that more was now asked from them—I do not remember the exact words, but that more had been required from the Volunteers, and that more ought, therefore, to be given to them. Lord Harris also said that he followed suit to his predecessors by increasing the Capitation Grant in a certain form, or increasing, at any rate, what was given by the Government. But now new demands are made upon the Volunteers beyond the claims upon their time and attention. They rise to those new demands whenever they can, as well as they can and as often as they can. In that respect they do all that in them lies; but I do think that they ought to be supported as my noble Friend says, or if not to that extent that at least they ought not to be put to further expense. We are now asked to provide ourselves with great-coats, havresacks, valises, and other things. Those things cost money. My noble Friend pointed out that the grant it was proposed to give was not sufficient to provide those things. Then, if the Government does not provide them, who is to provide them? Either they must be provided from private subscriptions, or by the Volunteers themselves. You must remember that the Volunteer Force has altogether changed its character since its first inception. At first it was a middle-class institution. I have had myself, in my own regiment, men with £2,000 or £3,000 a year standing in the ranks, men of high official and social position drilling among the rank and file. Those men do not join us now. They entered the Volunteer Force, and gave a good example at its first start; but those are not the men we get now. It has become a working-class movement almost exclusively, and the expenses of the Volunteer Corps as such, other than for those things which are provided by the Government, fall upon the officers. All sorts of expenses, in short, are thrown upon the officers. Very properly the Government discourages large expenditure upon bands, or upon those matters of show which are still essential to the very existence of the Volunteers. Their camps cost a great deal more money than the amount which the Government gives, and all their equipments cost a deal great more than they are allowed. Therefore, the officers are called upon to incur a very large expenditure, and they have nobly risen to that requirement. I dare say it would astonish some members of your Lordships' House to be told what very large sums have been expended upon rifle ranges and drill halls, and things of that kind, things of permanent utility of which the Government or the country have had the benefit. They have been mostly obtained from private sources, and are the result of private enterprise or private benevolence. Many a commanding officer has put down his thousands of pounds for the purpose of providing ranges and drill halls. I do not suppose that any of us who have long been in command of regiments have been able to avoid very considerable capital expenditure of that kind, which could not be met out of the capitation grant under any circumstances. Then that is not the only kind of expense; there are expenses of other kinds. In my own case, I know I was saddled with a heavy law suit—for I had to stand the brunt of it—on behalf of my corps. My corps, like others, of course, had no corporate existence, and consequently could not be sued as a Corporation. Individuals, therefore, had to be fixed upon, and I, as commanding officer, was fixed upon, with a lieutenant in the corps who was also

acting as musketry instructor, and we had an action brought against us. I am not, of course, complaining of that. I only mean to convey to your Lordships that the officers of Volunteers have expenses thrust upon them which they unhesitatingly incur with the single heart desire to further the cause of volunteering, but which your Lordships will agree ought not to be thrust upon them; and if, in addition to those things which are borne without too much grumbling, and with the satisfaction of knowing that it is a patriotic thing to do to support the Volunteers, Volunteer officers have to put their hands into their pockets to provide these details of military equipment without which, as the Adjutant General very truly says, the Volunteers cannot take the field, then I think you are transgressing what my noble Friend has very properly called the unwritten contract between the Volunteers and the country, and that the Government ought to come in and support those charges. I do not want to occupy too much of your Lordships' time on this subject, but merely to express my appreciation of, and acquiescence in, so much of my noble Friend's speech as says that the Volunteers ought not themselves, in pursuit of perhaps an ideal efficiency, to be put to any further expense, and that, at all events, these particular items which the Adjutant-General has laid down as necessary to their efficiency, ought to be supplied at the public expense.

LORD WANTAGE: My Lords, whatever may be the result of this discussion, and of the discussion which has taken place in the other House, I do earnestly hope that the officers of the Volunteer Force, who, I think it will be allowed are a most meritorious body, will not be called upon any further to put their hands in their pockets to make good the deficiencies which arise. I have seen frequently that in the answers given by Committees of Inquiry into these matters as to how deficiencies in the Corps Fund are made up, it has been stated to be done by contributions from the officers. That I am certain is a wrong system, and it has a mischievous effect. In the first place it deters many good officers from joining the Force, and I must say that the paucity of officers which we now regret to find in the Volunteer Force largely arises from the demands which are made upon their pockets. It also deters many of those deserving and excellent officers who quit the Army, or are pressed out of it in the full majority of their age, from taking up duties which they otherwise would do. My Lords, in regard to this question of equipment, it seems to me we are in danger, and I am speaking especially now of the Volunteers, of being called upon to play the game known as "No friend of mine," in which one of the players is pushed about by the others from side to side, until at last he has had enough of it, gets tired of the game, and will not play any more. The difficulty with regard to this grant has arisen, I think, from what I would describe as a muddle, in which some very distinguished persons have taken a part. First, I would mention the late Lord Mayor; then I would say the Adjutant General, and thirdly, the Secretary of State for War. The late Lord Mayor came very gallantly to the front—I cannot in any way blame him—and announced that he was going to raise what he called a Patriotic Fund. That fund, however, was for the purpose of equipping only a very small portion, about one-eighth of the Force. He mentioned a large sum of money which he was going to raise, but he did not succeed in getting much more than half of it. Simultaneously with the proposal to raise that fund by the late Lord Mayor, but not in the least in concert with him, a Circular of Instructions was issued by the Adjutant General, addressed to general officers, brigadiers, and others who are in the habit of inspecting Volunteers, and it gave an Instruction which I think was perfectly right. It states that if Volunteer Corps have not those articles which are absolutely necessary in taking the field they should be pronounced inefficient. Now, I have heard it rather pressed that this Circular of the Adjutant General of last May should be withdrawn; but I think if that is so those general officers, brigadiers, and others would be placed in this ridiculous position, that when they inspect a Volunteer Corps they would have to say, "This Corps is thoroughly efficient except in possessing all those articles which would enable it to take the field." Then the Secretary of State for War took some part in this matter, but he did so more

in the character of a private individual. He attended the meeting of the Lord Mayor, and spoke in favour of raising this Equipment Fund. He sat next to that distinguished field marshal, Lord Napier, whose death we all so greatly regret, and he heard Lord Napier say that it was impossible the Volunteers could hold the field for one week without this proper and necessary equipment. Therefore, my Lords, we appear to be in this position: that there is no doubt as to the necessity for these things being supplied, but we are in the difficulty of not knowing who is to provide the funds. As has been pointed out by previous speakers, the resources of the public have been entirely dried up since what took place in the House of Commons and the statement in the Adjutant General's Circular. But in speaking of the Secretary of State for War I do not wish to dwell so much upon what he has not done as upon what he has done, and, as it is so thoroughly germane to the whole question of the Volunteers, I cannot resist for the moment pointing out what he has done. There has been no Secretary of State for War within my experience who has done so well and so wisely for the Volunteer Force. He has given them an organisation and place among the great defences of the country which they never had before. The Secretary of State for War, no doubt, feels a little disappointed at the adverse part taken by Volunteers in the recent Vote in another place, who ought to have remembered how much the Secretary of State for War has done for the Volunteer Force; yet those Volunteers have this excuse, that, in proportion as they are being more and more pressed and encouraged to take up a responsible position in the defence of the country—gratifying, no doubt, as that is to the Volunteers themselves, yet they must be conscious that when they are put in this honourable position much heavier obligations rest upon them. And if they now ask for some additional allowances, and take part in a Vote which has been described as a Party Vote, I think some excuse must be made for them. But, my Lords, I want to say a few words more about what the Secretary of State for War has done for the Volunteer Force. He has given the Volunteer Force a brigade organisation which, in my humble judgment, is of the greatest possible advantage. It is all very well to have, as we have had for the last 30 years, a number of very efficient Regiments; but without a brigade organisation really they were very inefficient troops. When turned over to a general officer to be taken in hand those regiments could not be made use of. The question whether troops can be made useful or not rests entirely upon this: if they are handed over to a general officer as regiments they are useless, but if they are handed over as brigades then the general officer can handle them. He can give them a proper position in an Army Corps, and he at once knows how to use that machinery which is placed in his hands. For 30 years we have been without this organisation, and now I am thankful to say that we have a very complete brigade organisation, which is entirely under the control of the Volunteer Officers with the brigadiers, brigade majors, and the whole staff composed of Volunteers themselves. So that, on an emergency arising, we should not have to call in the assistance of the regular Army, but be able at once to take the position we might be called upon to fill. It strikes me as a matter of very considerable surprise, because so very little notice has been taken of it, that in addition to this brigade organisation we have had unfolded to us a most complete scheme of organisation and decentralisation which has been very carefully worked out. Practical positions have been purchased or obtained all over the country. Those sites have had no masonry erected upon them—no necessity of that kind, I am thankful to say, has been imposed upon us—but a great deal of trench work has been done, and all the works necessary might easily be thrown up. So that in a moment of emergency the Volunteers would be able to march to the technical position, and they would there find all that is necessary for their equipment supplied, and the whole thing would work as easily as possible. I hope my noble Friend Lord Brownlow, who occupies a post which I am sure he will fill with great success from his experience with this particular branch of the Public Service, may some day, acting in conjunction with his Chief, the Secretary of State for War, sit in his room, and be able to ring his bell and say that the Volunteers are to

proceed to their stations as may be desired. We shall then be able to get a magnificent rehearsal of what can be done, and one which would inspire confidence both in this country and abroad. If I might be allowed to add a small criticism of the speech which was delivered by the Secretary of State for War in the House of Commons, when he unfolded the scheme which has been spoken of, I would for a moment call attention to this. He said—

"The second line of defence will be occupied solely by Volunteers."

He then went on to say—

"We shall have at least 18 Brigades of Infantry, and 216 guns allotted to them. It may be said that this force is not sufficiently mobile to constitute a thoroughly efficient Field Army; to which it is opposed that it is not so intended, and that it may be doubted, with the comparatively small amount of time which the mass of our Volunteers and their officers are able to give to their work, whether it would be possible to organise them as a Field Army."

My Lords, I wish to say that I think in this speech there is rather, as it appears to me, the source of what may be mischief. These Brigades are to be placed; the officers to command them are to be told that in no case are these troops to be used as a Field Army. The officer will say that he will attend to those orders. An emergency arises: he finds it impossible to adhere to those instructions; and then those troops are at once launched into the field, and have to do duties which it has been declared they are not fit for. I say that is putting the Volunteers to duties to which you ought not to put them, and I hope they will not be put to work for which they have been declared unfit. Neither do I think that they ought to be so inefficiently equipped as to be unfit. I think this portion of the speech of the Secretary of State for War has led up to the position of some difficulty in which we are. I have taken what I may call a technical regiment of eight companies, consisting of 80 men per company; that gives 640 men, all of whom I take as efficient. Every man being efficient the regiment will earn the full Capitation Grant of £1,120. That is all that the Volunteer regiment will get. Out of that sum the regiment has to equip itself with headquarters, pay for the hire of rooms, ranges, uniform, band and interest. If you will permit me I will shortly state what are the items which the War Office declare not to be necessary and inadmissible towards allowance for grants. There is the cost of attending Reviews; a portion of bands only are admissible; payment of men in camp is not admissible. Then we come to greatcoats, haversacks, mess tins, and pouches to carry 70 rounds. There are other matters which are not admissible, such as an extra pair of boots, and the like. When the War Office declare that these things are not admissible, they are under the delusion, as I think, that the Volunteers will never be called upon to act in the field. When they have come to the conviction that that view is incorrect, then, as a matter of course, these greatcoats, mess tins, haversacks and pouches will be made admissible. Those of your Lordships who are Volunteers know that it is absolutely necessary when a man goes into camp that he should have either a valise or a pack to put his things in. I quite admit that a valise is not the best thing, because it is not desirable that men should be called upon to march carrying their valises upon their shoulders; but I do say that if these men are to go into camp they must have some form of pack or knapsack in which their things are to be put. In that pack they ought to have at least a pair of boots, a pair of socks, and a change of linen. That is not much to ask for, and it is within the Adjutant General's category of what is to be granted when the regiments are mobilised. I hope Government will take into consideration the fact that these things are necessary, and will at an early date give the Volunteer Force some sum—perhaps the two guineas spoken of by the Adjutant General—for procuring these necessary articles.

*LORD SANDHURST: My Lords, I only wish to interpose for a moment to say a few words with regard to the Circular issued in May last by the Adjutant General. I cannot agree with the noble Lord who has just sat down that it is a satisfactory document. I think it may be satisfactory after this full equipment has been given. It says that after a date to be named the possession of this extra equipment will be made a condition of efficiency; that their production for inspection will be necessary, in order that the Capitation Grant may

be earned; which means, I presume, that the Capitation Grant will be withheld if this equipment is not produced; but if it is withheld, that would entirely cut away the ground from under the feet of that particular corps and cause its disbandment. Something was said upon this point in the House of Commons, and it was stated on behalf of the Government that the actual meaning of the Circular was not what was supposed. I should be glad of some assurance from the Under Secretary of State for War that that portion of this Circular would be suspended, if not withdrawn, until the equipment is obtained, so that it may not strike such terror as it does among the commanding officers. The effect of this would be the disbanding of the corps, which would be practically the same thing, I think, as cutting off a man's head to cure him of a cold in his head. I agree generally with what has been said by noble Lords, who have had great experience upon this subject. I think, if we are to maintain the Volunteer Force as a useful body, it should be properly maintained. With regard to the Fund which was got up by the Lord Mayor, I admire the public spirit of the subscribers; but I think it is likely to tell unfairly throughout the country. In a rich Metropolis like London, no doubt such a Fund can be provided, and in certain other districts money could be procured, but there are other districts where it could not; and this immediate effect would result—that half your force will be fully-equipped, and the other half will be without equipment. The Committees which have sat upon the question of the Volunteers do not seem to have been thoroughly successful; and I hope when the noble Lord consults with his colleagues at the War Office these questions will receive careful consideration, and that something permanent may be the result of it.

*Earl BROWNLOW: My Lords, the subject which has been brought before the House by the noble Earl to-night is one which has lately been considered both by the Volunteers and by the public. I am glad that the noble Earl, by bringing the subject forward, has given me an opportunity of making a statement upon the matter in your Lordships' House, where the Volunteer Force is so well and so ably represented, and I trust that the effect of this statement may be, at any rate, to remove certain misconceptions and misunderstandings which appear to exist. The idea has got about, I do not know how or whence, but I am clear that it exists, that the present Administration has not been favourable to the Volunteers. When we come to consider what has been done for the Volunteers during the last few years I think your Lordships will agree with me, in the first place, that no thinking man could bring such an accusation against the present Secretary of State for War. That point has already been ably dealt with by Lord Wantage. Battalions have been told off into Brigades, and those Brigades have been placed under the command of the most competent and zealous Brigadiers that it has been possible to find. Then, again, the Volunteers have been encouraged to join Brigade camps; and I think every Volunteer will admit that the allowances for Brigade camps to enable Volunteers to take advantage of this very excellent military training has been given on a very liberal scale. Again, arrangements have been in progress by which Volunteers, when mobilised, will be able to receive their stores without any friction and without any confusion. And, finally, during the present Administration the Grant in favour of the Volunteers has been increased altogether by the very large sum of £160,000 a year. Your Lordships, no doubt, remember, and it has been stated already to-night, that at the beginning of the Volunteer movement there was no Capitation Grant at all. The Capitation Grant, I think, was first instituted in 1862, and since that time it has been continually considered and re-considered by Committees at the War Office. The last of those Committees was the Committee presided over by Lord Harris in the year 1887, and that Committee recommended in its Report that the Grant should be increased from 30s. to 35s. I wish to remind your Lordships that the same policy has always been adhered to from the very beginning of the Volunteer movement, and that policy is that the Volunteers should be given a Capitation Grant, and that with the aid of that Capitation Grant they should find their own clothing and equipment. The Capitation Grant has been from time to time increased to enable the Volunteers

to find what is necessary for them. But I wish distinctly to point out that the policy of 28 years has never been altered; and I can only say this—that I believe the present Government, or any future Government, will consider the matter thoroughly and fully, and see that really good reasons are given before departing from the policy which has been pursued during that period. I will also ask your Lordships to remember that it is under this policy that the Volunteers have now risen to be a great and permanent source of strength to the country. I will now refer to the Adjutant General's Letter. It is dated the 28th May, 1889. In that Letter the Adjutant General divides the equipment of Volunteers into three heads, not into two, as the noble Earl stated. Probably he thought the third so unimportant that he did not care to notice it. The first head consists of greatcoats, havresacks, water bottles, and mess tins. The second head comprises what is necessary to make a Volunteer corps efficient in case of mobilisation, which is to be purchased for the £2 2s 0d. And the third head comprises the articles of camp equipment which would be issued on mobilisation. As regards this third head, I do not think I need trouble your Lordships; I will only touch upon the second head of articles to be purchased for the £2 2s. 0d. The noble Earl asked whether that sum was intended to be spent for the articles which had been obtained before. I can only say it was not so intended, but only for articles which would have to be obtained in a hurry. Then with regard to the greatcoats, havresacks, water bottles, and mess tins. I should like to call attention to the words used in the Adjutant General's Letter. He says that the inquiries of the various Committees which have examined into the subject of Capitation Grants, and the accounts received in this office, show that with the £2 2s. 0d. there will be sufficient to cover all the articles mentioned in Class I. He then goes on to say that the articles can be obtained without difficulty, and will be covered by the instalments as they become due. Now, in the year 1888 we obtained a Return of the equipments possessed by different corps at that time, and we found that out of 190 Battalions, 131 were possessed of haversacks, and 86 were possessed of water bottles. I would remind your Lordships that this was at a time before any pressure at all had been put upon the Volunteers. I think it is only reasonable, seeing that so large a number of the Volunteer Corps have supplied themselves with these articles, that we should consider the time was approaching when the whole Force should be equally well supplied. I have not mentioned the greatcoats because they were only referred to in the Return of 1888. There was no Return except for greatcoats for either 1887 or 1889. It is necessary to get a Return on that head, because the Government gives 2s. per man for greatcoats, and a Return was necessary in order to find out what the Government will have to pay. In 1887, before the capitation grant was raised to 35s., the Volunteers had 40,640 greatcoats; in 1888 the number had risen to 67,402, and the grant paid for those greatcoats amounted to £6,740. This was before the Adjutant General's Letter was published. In 1889 the number of greatcoats was 94,303, and the sum given to the Volunteers for those greatcoats was £9,430. The number of greatcoats increased during those three years very rapidly, and it was hoped that the time would not be far distant, if the increase went on as rapidly, when the whole force would be equipped with greatcoats in addition to their other equipment. Now, the passage in the Adjutant General's Letter which has caused the most comment is this, "After a date to be hereafter named, the possession of these articles is to be made a condition of efficiency." It has been supposed, and I quite admit that the words might be a little misleading, that those words meant some immediately approaching date to be hereafter named. That was not the intention of the Circular. The intention was that after these equipments had been fully, or very nearly found, a date might then be fixed after which the Volunteers would be compelled to produce those things to prove their efficiency, in order to show that they were keeping up their supply. That was the intention of the Circular. However, I am perfectly ready to admit that it might be thought to possess some other construction, and I am glad, therefore, to have this opportunity of explaining the matter to the House.

Earl Brownlow

With regard to this point, that the Adjutant General believes the things will be obtained as the instalments become due, there have been complaints that the Volunteers have been unable to find tradesmen who would enable them to procure these things and pay off the cost by means of the grant. I can only say that if the commanding officers of Volunteer Corps would like to consult with the Clothing Department of the War Office, that Department would be glad to give them any advice in their power with regard to the choice of tradesmen and the means of providing the equipment. There is in store at this moment a considerable number of part worn greatcoats—that is a technical term which may mislead, because they are really the very same goods which have been served out to Volunteers in camp for several years past; most of them are in very good condition, and the whole number are available to be sold to Volunteer Corps, if they would like to purchase them, at a very reasonable rate. As your Lordships are, I daresay, aware, under these circumstances the Volunteer Corps would be able to have three years' credit to pay off the debt. That is laid down in the Volunteer Regulations. I should like to call your Lordships' attention to this point—that in the Adjutant General's Letter there is not a single word said about raising voluntary subscriptions. The Adjutant General assumes that the grant of £2 2s. will be sufficient to provide these things. He does not say one word about the money being raised in any other way than by the capitation grant. It may be said that though subscriptions have not been absolutely asked for they have not been discouraged. Certainly, I do not see why the Government should discourage subscriptions which show the interest the country takes in our Volunteer Corps; and in many cases some such subscriptions have been started, and notably in London. I believe in some places the equipment which has been provided for the Volunteers is very considerably in excess of anything the Government has asked for or demanded. I have no official knowledge of the fact, but I think we may see for ourselves Volunteers going through the streets with a very full equipment indeed—much more so than is required by the Circular. Now, my Lords, I have endeavoured to explain, as far as I can, the action of Her Majesty's Government in the past; and as regards the future I am afraid on this matter it is impossible for me to say much, or, indeed, anything definite. Her Majesty's Government perfectly recognise that after the Vote of the House of Commons the other night the whole question will have to be reconsidered, and what the result of this re-consideration may be it is impossible for me to say at this moment. But I can give your Lordships this assurance at least, that in considering this matter Her Majesty's Government will have but one object in view, and that is that those who give their time and services for nothing to the country shall, when the time of need comes, be able to turn out and take their place in any great struggle, with an ample and sufficient equipment

LICENSING ACT (1872) AMENDMENT BILL.—(No. 35.)

SECOND READING.

Order of the Day for the Second Reading read.

*Earl BEAUCHAMP: My Lords, I did not intend to trouble your Lordships at any length in moving the Second Reading of this Bill, but the noble and learned Lord Bramwell was good enough to inform me this morning that it was his intention to move the rejection of the Bill, and, therefore, I shall be obliged to trouble your Lordships with some arguments in its favour. The noble and learned Lord is always a very formidable antagonist, and at the present moment I am quite in the dark as to what the nature of his objections may be. I may state that I have had sent to me by post a Circular upon this matter; but I am quite sure the noble and learned Lord had no hand in drawing it up, because, although it bears upon the same subject which was dealt with in the Bill of last year, it has no bearing upon the Bill as it at present stands before the House. Your Lordships will see for yourselves that in the Bill of 1890, though the number of words omitted or inserted, as compared with the Bill of last year, is not large, yet that a vast change has been made in the whole scope and operation of the Bill. The Bill of last year affected all refreshment rooms licensed for the sale of

intoxicating liquors, whether already licensed or to be hereafter licensed. Objection was taken last year, as objection has been taken in the Circular to which I refer, that it would be quite impossible to bring such provisions to bear upon already existing licensed refreshment rooms, without entailing great difficulty in bringing the law into operation, and without throwing a great deal of hardship upon those who had invested their capital upon the launching of those undertakings; and though I may regret the limitation of the scope of the Bill, still it has the advantage that it now steers clear of all that class of objections. It does not interfere with existing licenses; it does not interfere in any way with refreshment rooms at present licensed; it does not restrict any existing right or put any burden upon people in respect of them which they ought not to bear. Now, why do I say this? For this reason: that in the Bill of the present year the important words are omitted which were in the Bill of last year, providing that the Licensing Authorities should neither grant any new license, nor renew any existing license. Those words have been left out. Therefore, the scope of the present Bill is considerably diminished, and it is no longer open to the objections which were levelled at the Bill of last year. I am quite sure that the noble and learned Lord will appreciate the distinction which has been made, and that the objections he may make will be quite distinct from those put forward in the Circular to which I refer. In the Circular it is said that it is intended to extend the waiting accommodation. That is not the purpose of my Bill. It is to provide that where there is no proper waiting accommodation, such accommodation shall be provided, in the interest and for the comfort of the ordinary traveller. The object of the Bill is not to provide luxuries, but to provide that where waiting rooms do not exist at the present time they should be provided at Railway Stations where refreshment rooms already exist. I need not take up your Lordships' time by pointing out that the existence of licensed refreshment rooms is a question which must be regarded by Parliament; and, putting aside the objections against the Bill of last year as to interfering with existing arrangements, and looking to the licenses to be hereafter granted, nobody can say that Parliament may not properly impose such conditions as it thinks ought to be imposed in the interests of those who have to travel by railway. I need not draw harrowing pictures, but I wish to point out that of necessity where a refreshment room is licensed it presupposes the existence of a considerable amount of railway passenger traffic. Now, that traffic comprises persons of all ages, classes, tastes, and habits, and it seems to me a very great hardship that all travellers, whatever their age, sex, tastes, or habits may be, should be compelled to take shelter from the weather in what may be very little better than drinking saloons. That is quite apart from the interests of temperance; but I think, apart from those interests, there is a great deal to be said in favour of my contention. If you look at it from this point of view ordinary mankind may very properly be divided into three classes in relation to the sale of intoxicating liquors. There are those whose steadiness of purpose is such that if they desire to drink liquors they may trust themselves to take them in moderation whether in railway stations or in drinking saloons; there are other persons who neglect no opportunity which comes in their way of wetting their whistles and quenching their thirst; and there is a third and very large proportion of travellers who neither possess the steadiness of purpose of temperance theorists, nor are yet always seeking opportunities to allay their thirst, but who are liable to be acted upon by the influences to which they are subjected, and who are not of sufficiently strong purpose to resist temptation when it is thrown in their way. I am by no means a friend of grandmotherly legislation, and in my humble way I have done something to prevent it. This Circular says that this Bill is intended to strike a blow at the Licensed Victuallers; I have great respect for Licensed Victuallers. I had the honour, in 1874, to take charge of a Bill in the interests of that very respectable body of men, which obtained their support. But while I am desirous that the legitimate interests of the Licensed Victuallers should be protected, I do not desire that every traveller, whether he wishes it or not, if he has to shelter

himself in bitter weather from wind or storm shall be driven to compete with the jostling crowds at the counter and tables of a refreshment room. I do not see what right, when the interests of the Licensed Victuallers are protected, they have to insist that everybody should be exposed, whether they will or not, to the influence of drink. I take it the Railway Companies are bound to provide proper accommodation for their travellers; and can that be called proper accommodation which does not secure adequate shelter without exposing them to the great inconvenience and discomfort of going into a refreshment room, whether it be large or small? Now, I have curious testimony to bring before your Lordships in this matter. An eminent Divine, who is known to many of your Lordships, writes from a junction where he was delayed for an hour between two trains, and he says—

"Perhaps the condition of things which I am now unpleasantly experiencing may be useful to you in the discussion on your Bill about railway stations. A polite official has just informed me that there is no waiting room for gentlemen at this large station except the refreshment rooms. Into one of these I made my way, and found it pervaded by a pungent odour of beer and whiskey, with loud chatter going on, and with doors on each side so as to form a passage through from one platform to the other. I was a little sceptical at one time as to the need for your Bill, but certainly, in point of comfort as well as temperance, I am now of a different opinion."

That, as I have said, has been sent to me by a traveller who was waiting for an hour at a station where there was no convenience for waiting, except a refreshment room, with all its discomfort and inconvenience. This Circular says there is no evidence about inconvenience experienced. I think everybody will bear me witness, who is conversant with the subject, that there is. It may be that none of your Lordships have been detained at stations where this accommodation is not provided; but there are large and important stations where there is no accommodation except of this nature. I do not know that we should do wisely at all times to appeal to our fellow subjects at the Antipodes for arguments, but I may say that so strong is the feeling among the colonists with regard to the sale of intoxicating liquors at railway station refreshment rooms, that in New Zealand it is prohibited altogether, and in Victoria such liquors are not allowed to be sold at railway refreshment rooms within a radius of 20 miles from Melbourne. That shows what they think of the evil in connection with this subject. I do not see that statistics are required in a case of this kind. I do not see that they are at all necessary to prove my case. When you are dealing with the motives and influences which affect men, I do not think statistics are indispensable for proving your case. If you are dealing with any economic question affecting the country, or any matters of trade, it is necessary to consult the Barometer of Trade; so, if you are discussing the increase or diminution of crime, statistics are very valuable; and again, with regard to education, you will find figures come usefully to hand. With regard to sanitary matters, too, or sanitary legislation, if you are going to inquire into the question of sanitation as affecting people's lives, vital statistics are of the utmost importance. But I do not see that, in regard to the ordinary motives for human action, statistics are required to prove the case. I am content to appeal to the experience of mankind in this matter. All that is asked for in this Bill is to extend a principle which is already known to the law, namely, that the sale of intoxicating liquors should not be allowed without control. That is a proposition which has always found its place in the English law, and I need not discuss the necessity for such restriction. It was said last year, "Why not leave the matter to the discretion of the Licensing Justices?" I do not see that the Licensing Justices could properly deal with the question. What you are now asked to do is to provide that a license for the sale of intoxicating liquors shall not be granted on certain premises unless certain other premises are provided. Under the existing law all that the Licensing Justices have to do is to satisfy themselves as to the propriety and sufficiency of the accommodation provided in respect of the premises, and they would be, I think, exceeding their jurisdiction and going outside the sphere of the matters confided to them, if they imported into the consideration of licensing a railway station refreshment room the question whether there was accommodation apart from the refreshment

room which they were called upon to license, Your Lordships will remember that the discretion of the Justices is already very much restricted by law—Parliament has limited the discretion of the Justices to certain matters. The discretion which the Justices exercise is of a very limited character. I need not point out the different qualifications and restrictions which Parliament imposes with reference to the different licenses, but in the case of publicans' licenses, the only matters which the Justices have left to their discretion are as to whether the required accommodation is necessary, and as to the respectability of the applicant for the license. They are rigidly restricted as to the minimum accommodation to be provided for the public, and they are restricted as to the penal disqualifications which the applicant may be lying under, or any disqualifications which may affect the applicant in regard to complying with the law. So, again, with regard to beer-selling, the discretion of the Justices is confined to the question of the value of the house licensed and other similar matters. Then, with regard to licenses for the sale of beer off the premises, there are restrictions on the discretion of the Justices. So that having limited the discretion of the Justices in those important respects, you are only asked now to extend the principle by giving them power to do that which they would not at present have power to do, namely, take into consideration other things beyond the accommodation provided by the refreshment rooms themselves. You are empowering them to do that which, without this legislation, would be wholly extraneous to the duties entrusted to them. In all these matters Parliament has pointed out to the Justices the rules by which they are to be guided, and I ask your Lordships to extend the application of this principle somewhat further, and to say that hereafter a license shall not be granted to any new railway refreshment rooms without taking care that adequate accommodation is provided for the public, without the discomfort, inconvenience, and temptation which occur where there are only rooms or premises in which the sale of intoxicating liquors is actively going on. This circular which I have received focusses all the objections which were made to the Bill of last year, but it is really a very misleading document. I have already pointed out to your Lordships that the first paragraph describing the professed object of the Bill is entirely misleading. The Bill has not for its object the providing of more extensive waiting accommodation, but requires that where there is no waiting accommodation now, it shall be provided before a licence is granted for a refreshment room. The fact is that the whole of this document comes a year too late. It looks as if it had been struck off a year ago and not put into circulation until now. Paragraph 3 says that upon consideration it will be found that it is sought to make the licence holder responsible for the maintenance of order in the other premises, and that the Licensing Authority is to be constituted the judge as to whether such waiting accommodation is sufficiently ample. That is perfectly true in respect of a licence to be hereafter granted. But it may be said that in this way a burden is being imposed upon the licencees, and there is a paragraph in the Circular following that points out that a licence holder is a person unconnected with the Railway Company's affairs, and has no right with regard to any part of the Railway Company's property, except that which is leased to him. That might be all very well with regard to the past, but it has nothing whatever to do with legislation for the future. Of course the licence holder must be *ex hypothesi* the tenant of the Company, and all he will have to do will be to obtain from his landlord a covenant that they will comply with the provisions of the law. There will be no hardship in that. If the Railway Company will be bound by that covenant, and if they fail to observe it the lessee would have his action against them for damages. I say that no hardship would arise if you limit the measure in the manner to which I have referred. I think if your Lordships will read the Circular attentively you will see that it admits there is good reason for some such legislation as this. The last paragraph says—

"It might be possible to demonstrate that in some places sufficient waiting accommodation would be provided, but that cannot be done without making the licence holder responsible in the matter."

Well, I say that can be done without making the licence holder responsible at all, because in all future leases all he will have to do is to obtain that covenant, and he will then have his remedy against the company whose property is to be benefited by the granting of the licence. Then paragraph 4 says that—

"It would be obviously wrong, unjust, and impossible to make the contractors under their existing leases responsible for the waiting-rooms."

That may be true. It may be, and it might have been a valid objection last year, but it does not lie against the Bill, as at present proposed for your Lordships' consideration. It may be said, if your Lordships' do not propose to touch existing waiting rooms is it worth while to legislate in this matter at all? I think it is. In the first place we are by no means at the end of the growth of our railway system in England. Our industrial conditions have altered very much during the past few years. The great Railway Companies have had to double their lines, and they all tell you that that is not the best way to deal with our heavy through traffic, but, on the contrary, it is far better to make alternative lines over which that traffic may be carried, so as to open up new country. And I think, with the accumulations of capital which exist in this country, it is by no means improbable that we may see much larger developments of the railway system than at present exist. With the increase of population, further accommodation is required for the travelling public, and I think it will be a very valuable thing to place upon the Statute Book such a provision as this. I think if Parliament concurs in restricting future licenses in the manner I propose, it is not chimerical to suppose that the great Railway Companies, who have up to this time granted various rights under agreements, as the leases run out, would find it worth while to relieve their passengers and customers from the discomfort and inconvenience to which I have already referred, and in that way alone, I think the passing of this measure might have a very beneficial moral effect by bringing home to Railway Companies the duties they owe to their passengers and customers. Something is said in the Circular about the absence of public discussion in reference to this question. I have had an intimation tha the great Temperance Organisations in thi country were anxious to agitate in favour of this Bill, but I thought it better to present the matter before your Lordships without embarking on any great popular agitation, and for this reason, that this Bill does not owe its origin to any great temperance organisation at all, and I do not see why your Lordships should be deprived of the credit which you will gain by legislating upon this subject of the sale of intoxicating liquors. For myself I am by no means disposed to accept the temperance platform. No doubt their agitation has done a great deal of good, but I think they carry their principles much too far. I would rather appeal to your Lordships' sense of justice than to popular agitation on this subject, and I trust that this House will take the common-sense view of the rights of ordinary railway passengers. I have been urged to incorporate in this Bill other matters with regard to this subject. There has been a great practice of hawking liquors about on the railway platforms. I believe that practice is thoroughly illegal, and the North Western Railway Company has abandoned it, but I am afraid the Great Western still allow it to prevail. A license to sell intoxicating liquors in a refreshment room certainly does not carry with it a commission to hawk liquors on railway platforms; and I am informed that a great deal of mischief has been done by the practice. Still, I do not propose to incorporate that restriction in this Bill, as it lies rather outside the scope of it. I have thought it wiser to leave out of the Bill all questions of that kind, and to confine it simply to the principle of securing justice for railway travellers. Your Lordships are in a very favourable position for dealing with this question. You have interests which enable you to know the habits of those for whom you are legislating. As country gentlemen and Justices of the Peace, you are familiar with the habits of ordinary travellers, and it is on their behalf that I ask you to pass the Second Reading of this Bill. I will repeat that the Bill is in no way intended to interfere with existing trade arrangements or existing contracts. I am all for freedom of contract and for preserving contracts when they are

entered into. This Bill is free from the objections made to that of last year. I am by no means wedded to the wording of the Bill. If any noble Lord thinks it right to provide more clearly than he thinks is done by the Bill that it shall not affect existing arrangements, I shall be glad to adopt any suggestions, but I shall be surprised if the noble and learned Lord should think it right to repeat the statements contained in the Circular to which I have referred. I ask your Lordships for the Second Reading of this Bill.

Moved, "That the Bill be now read 2ª."

LORD BRAMWELL: My Lords, I move your Lordships that this Bill be read a second time this day six months. I cannot defend the Circular from the many attacks which the noble Earl has made upon it, because, to tell the truth, I have not studied it. I thought the best answer to the noble Earl's observations was to be found in the Bill itself. But I may say one thing in excuse for the authors of the Circular, with which, indeed, I had nothing to do, which is this: that doubts have been entertained by very capable persons whether the Bill is limited to licenses which are to be granted to persons at railway stations for the first time. My construction of the Bill was that it is, but I imagine that those who drew up the Circular had their fears, and if they were wrong they may be forgiven, considering the doubts which had been entertained upon the subject. At all events, if there is any doubt in the Bill it can be set right, and I will deal with the Bill as one which is applicable, not to stations or to persons where or to whom licenses have been heretofore given, but to places and persons where or to whom licenses may be granted after this Bill becomes law, if it ever does so. But if that is so, does not the Bill stand self-condemned? If these numerous stations are so conducted, and the circumstances surrounding them are such that no legislation is necessary in regard to them, what occasion is there for what I was going to call—without disrespect to the noble Earl—this sort of peddling legislation as to the half-dozen stations which may come into existence, where licenses may be granted, and where refreshments may be obtained? The noble Earl has told your Lordships that the reason he has left these existing persons and stations out of his Bill is because it would be interfering with things that have been arranged, and I suppose he means "vested interests;" but if there is anything of such a character as to require legislation for future stations and persons, why surely something might properly be done as to those already in existence, except, indeed, for one reason—that, in my opinion, there is a tribunal already which could deal with them, that is to say the Licensing Magistrates. But in this Bill it is expressly enacted that the Licensing Magistrates, however satisfied they may be with the arrangements for the accommodation required from the applicant for the license, however desirable they may think it that the license should be granted, shall not grant it, unless these particular things are existing which the noble Earl says should be there. I do not know whether your Lordships know what those things are. I will refer to them. There must be two separate rooms—one for ladies and one for gentlemen, besides the refreshment room. If rooms are not there already they must be built; if the land is not there upon which they can be built it must be obtained; and there must be a comfortable fire provided in each of those rooms. Those are the requisites which must exist already in order that the new licence may be granted. What is such a requisition as that worth? The consequences will be in many cases—they certainly well may be—that the expense of getting those two rooms and providing the furniture and fire will be such that it will not be worth the while of anybody to sell refreshments there, because, of course, the expense of so doing will be part of the cost of the arrangement that will have to be made for the purpose of getting the licence. I will ask your Lordships if it is not most unreasonable to exact such a thing as that? Two separate rooms to be furnished and fires kept going in them! What good is to be done by it? Of course, if the licence for selling "intoxicating liquor," as it is always called—I suppose that means beer, spirits, wine, and what not—is not granted, the premises will not be licensed for selling anything there, even the most harmless refreshment in the

world, not because these bars are supported by the sale of beer and spirits, but because the people at a refreshment room may only be able to sell half of what they would desire. And what is the consequence? Although it is admitted that a refreshment room would be desirable, and although the Licensing Justices, either from their own knowledge or otherwise, are aware that the accommodation is perfectly sufficient for all reasonable purposes—not perhaps for anybody, who may be kept there for an hour, objecting to the smell of beer and gin, which, as we all know, may be very disagreeable—they are to be perfectly unable to grant the licence. Now, what will be the effect of all this? There will be two consequences: one that you will have a small beer shop established just outside the railway station, which, of course, can always be got, instead of a decently-conducted railway station refreshment room. Then, in the other case, if these rooms are got and made so luxurious and comfortable as the noble Earl would make them, the beer and spirits will be taken into the warm and comfortable room instead of being drunk at the refreshment bar. It seems to me, therefore, that more drinking would be promoted by the scheme of the noble Earl than is carried on at present. I cannot help thinking that this is really a meddling with things without any occasion for it. The noble Earl says that at the Antipodes, in New Zealand, and the district within 20 miles of Melbourne, they are so rigorous in their objection to the sale of intoxicating liquors that they resolved that those liquors shall not be sold at all in those places. That would be an intelligible proposition, though it would be a mischievous one, I think; but the legislation of the noble Earl would put difficulties in the way of it, saying not that you shall not do it, but that you shall only do it under circumstances of discomfort. Now, there is another proof of unreasonableness here, I think, in the last clause but one, by which it is enacted that, if these rooms, when built and furnished, are not kept in good order and the fires kept up and the place made comfortable—what do your Lordships suppose?—why the unfortunate barkeeper, who has nothing whatever to do with the rooms, and who cannot interfere with them, is to be liable for penalties as though he were selling liquor without a licence. Well, that is the proposition which your Lordships are asked to affirm. I think it is one of those examples which good people are always giving us. When good people are attempting to do good, they do not care at what cost to other people it may be that they will bring it about. The noble Earl said he did not think there was any necessity for statistics in this matter. I do not think there is, and I do not know that they would help him. But he did give us most reluctantly some statistics of two persons; one was the unfortunate Divine who was kept in a refreshment room with the smell of beer and spirits around him for an hour, and the other was the noble Earl himself, because it is perfectly manifest that he dislikes these things. Those were the only two witnesses he called in support of his Bill, and I submit to your Lordships that it should be rejected.

Amendment moved, to leave out the word "now," and to add at the end of the Motion the words "this day six months."—(*The Lord Bramwell.*)

THE EARL OF KIMBERLEY: My Lords, I think my noble and learned Friend has been a little hard on the noble Earl opposite. I think there is something to be said for the principle of this Bill, though I do not think there is much to be said for the mode in which its provisions are to be carried into effect. The first clause is, to my mind, open to some doubt, but that, I suppose, the noble Earl would remedy. It speaks of renewing a licence in such a way as that it would apply not only to new licences, but to those which would have to be renewed every year. I presume that would be remedied, and the Bill made strictly applicable to places where there are now no licences. I have not had much personal experience of station accommodation, but I should think it is a very objectionable thing, indeed, that passengers—men, women, and children—should have no place within which to wait except the refreshment bar. I do not think it is a satisfactory state of things. I can quite conceive there might be no necessity for two waiting rooms in small stations where one general waiting room would be enough;

but I think where a Railway Company or anybody authorised by the company applies for a licence to establish a refreshment bar, there is some reason for saying that some other place should be provided where passengers may wait if they choose. The primary object of railways is to carry passengers, and not to provide refreshment bars. Therefore I think there is something really to be said for the principle of the Bill. But with regard to the last clause, to which attention has been called, I cannot conceive that Parliament would enact such a provision, because one cannot imagine anything more intolerable than that if the Railway Company does not provide fire and coals, for example, the holder of the licence might be subject to all the penalties to which anyone is liable who sells intoxicating liquors contrary to the law. That is a provision which nobody would agree to; but I can conceive that, the licence being granted for one year, it might be presumed that the Railway Company desire the refreshment room to be continued in that place, otherwise it would not give its sanction; and when the licence holder comes again to the Justices for the renewal of the licence, and it is shown there has not been proper accommodation provided for the passengers, the licence should not be renewed. That would be a proper penalty. Of course, in some cases the companies themselves are the holders of the licences, and no doubt in those cases the conditions would be observed. I should think, my Lords, the Bill might be read a second time, and that these provisions might be considered and amended in Committee.

THE EARL OF HARROWBY: I do not think it would be well that this Bill should be rejected as if it were a joke, as the noble and learned Lord suggests. He says it would affect only one or two small stations in the future; but when I looked around the Benches and saw all the leading representatives of the Railway Companies who have come down to the House to-night, I thought that there must be some very grave railway interest at stake. I do not quite agree with this Bill, but I am rather inclined to support the Second Reading for these reasons. Nobody admires the arrangement of our main lines of railway more than I do; but for those who have to travel across country, nothing more inconvenient can be imagined than the accommodation provided. I have, unfortunately, often to cross the country from east to west, and from west to east, and the way in which one is turned out of carriages and made to wait for other trains, and so on, is extremely provoking and trying. I can, therefore, support what has been said as to the necessity for having decent railway waiting accommodation. The time lost in crossing the country in that way is very great. I happen to know one place, a country junction, which I often have to visit, and I find there an exact picture of that which was so much jeered at by the noble and learned Lord as affecting not only the travelling public, but the railway people themselves. At this cross junction I and many of my country friends have often to wait, and the only place there is to wait in is in the booking office, through which there is a thorough draught, and where there is hardly room enough for those who want to take tickets. There is a place for ladies, and the only other place is a drinking shop which is extremely unsavoury from the very nasty chronic smell of liquor. I think that is a great hardship to the working-class people and middle-class people whom I constantly see at that junction. I believe if you put this to the test by having Circulars from the Board of Trade, as far as my knowledge goes from what I heard when I was in that Department, you will find that there are a great number of places where there is no waiting accommodation except where liquor is sold. Though I do not belong to the Temperance Organisation, I think it is extremely injurious to the railway servants themselves that such a state of things should exist, and it does not make one's fellow-creatures sometimes pleasant company. I think that drinking at these stations is not a desirable thing for the general public. If you say it is a small thing for Parliament to interfere with, I think it was the interference of Parliament which induced the addition of smoking carriages to trains. Parliament did not think that matter too trifling for interference, and I put it to your Lordships whether it is not more necessary that waiting rooms should be provided where people can wait and avoid the nuisance

of these horrid drinking shops than to provide smoking carriages. Though I do not think the Bill perfect, I shall certainly vote in favour of it as a protest against the very wretched accommoda tion which the Railway Companies provide for their customers.

*LORD GRIMTHORPE: I did not intend to trouble your Lordships, but I think my noble Friend has suggested the proper form for this Bill. It is this: that whenever it appears that a Railway Company has not done anything which people think it should do, the Justices should not renew the licence if it has one. I do not see that there is any connection between the two things. My noble Friend wants more extensive waiting room accommodation.

*EARL BEAUCHAMP: No; I said a waiting-room.

*LORD GRIMTHORPE: I know—in addition; therefore more extensive waiting-room accommodation. That is one of my noble Friend's ingenious distinctions. I submit that you must look out for some more straightforward way of enforcing duties, if they arise. But my noble Friend said that Parliament required Railway Companies to provide smoking carriages, in order to protect people who do not smoke from the illegal nuisance caused by people who do smoke. But that is exactly the sort of thing Parliament should do. If it thinks these refreshment rooms should be abolished, why not abolish them? If you desire to pass a Bill requiring these waiting-rooms to be established, well let some proper and trustworthy authority be enabled to order them; but I do not agree with this mode of inflicting the penalty. If they are not provided, fine the company in some other way. You would fine the holder of the licence under that wonderful 2nd clause, if the fire goes out or anything is not done which the local Justices or their friends want. Then my noble Friend said that the Justices have no control now. That is certainly not so; for by a recent decision which went to the Court of Appeal, and was acquiesced in—I do not know whether it was carried to your Lordships' House—the Justices have full discretion in granting licenses, and in renewing them. That is a matter of perfectly settled law now. I know from my own experience as a Justice that there is always some body to be found ready to make every objection that can be offered when the license is to be renewed. I asked a man on one occasion for whom he appeared, and he replied, "I decline to say." I said—"If you decline to say, I decline to hear you." Of course, he had been sent to make objection by somebody—an adjacent public-house owner, or a Temperance Organisation, and if he had chosen to tell us we must have heard him. There is nothing to prevent people objecting to the granting or renewing of licences. We must hear them, and if we do not, the Queen's Bench will say that the Justices have not thoroughly heard and determined the case and that they had acted from prejudice. Therefore, as far as that goes, I cannot see the slightest necessity for the Bill, because, besides being wrong in principle, it is not required. My noble Friend said he had no statistics, and did not want any. Why does not he want any? Does he expect us to take his statements from one unhappy divine, who had to tolerate the smell of beer and spirits at a railway station for an hour, as conclusive? All I can say is that I should like to have the cross-examination of that gentleman. I have had some experience of railway stations, and where on earth there can be a large railway station in which a great divine was driven to sit in the refreshment bar all that time I cannot imagine. On the other hand, I know some where there is a waiting-room nearly half the size of this House, but no refreshment room; there is not a cup of tea to be had in the place. That is because people will not take refreshment rooms unless they can sell beer and liquors. I wonder what my noble Friend's clients want, if he has any? People want to get a cup of tea or coffee if they can. In every point of view, it seems to me, the Bill is entirely ill-founded; it is not well calculated to effect its object. Everyone who has spoken for it admits that it wants amending, and certainly my noble Friend has not quite appreciated the effect of his 2nd clause, for he passed it over as a thing not worth attending to. The unhappy licence-holder would have no means of controlling the Railway Company. We are always told that Railway Companies are very difficult people to control. It

is no use talking about stipulation; if they put up their waitingrooms to auction they would always find plenty of people who would take them without any stipulation whatever. There is no doubt about that. I think, whether my noble Friend knows it or not, there is a good deal of temperance agitation at the bottom of his Bill.

*EARL BEAUCHAMP: No.

*LORD GRIMTHORPE: I think, although my noble Friend may not be conscious of it, that is really the case. I can see no want whatever for the Bill. I complain of it, instead of doing what it professes in a straightforward way it does it in an indirect way. I quite agree that Railway Companies want a great deal of control in the timing of their trains, and if anybody will bring in a Bill for that purpose I will not stand in the way. I say, deliberately, that in those sort of things Parliament has a perfect right to interfere, and that it has always asserted its right to interfere, for the public convenience and safety, though not for the purpose of transferring railway profits to other trades. Those are the two things for which Parliament has a right to act, and beyond that it has no right to legislate in matters of this kind.

*THE EARL OF GALLOWAY: I hope your Lordships will not be induced to approve of the Second Reading of this Bill. I have listened very carefully to what has been said, and I cannot say I have heard one single real argument for the Bill yet. I think there is a very strong feeling with regard to this matter; but the Railway Companies may be left to consider for themselves whether it is necessary to have one or two extra rooms at railway stations. This Bill seems to me a most irregular proposition, if my noble Friend will allow me to say so, and one which should not be accepted by your Lordships.

*LORD DE RAMSEY: My Lords, I shall ask your attention for a few moments while I endeavour very shortly to give a parting kick to this Bill. The noble Earl who moved it has more or less admitted that it is capable of improvement. I do not know whether he has considered the fact; but I am advised that Clause 5 will apply to Section 3, and that all those who apply for the renewal of their licenses would come under them. The noble Earl, I understood, denied that he advocated more extensive accommodation; but he did not mention once in his speech that he proposed to separate the sexes at the stations. That would be necessary, I presume, and what would be the result? That we shou'd have a first class refreshment room and first class waiting room for men; a first class refreshment room and first class waiting room for ladies, and the same all through in regard to the other classes of passengers.

*EARL BEAUCHAMP: Not for the classes—for the sexes.

*LORD DE RAMSEY: I hardly think that the Railway Companies would alter their arrangements and put their first and third-class passengers in the same waiting-rooms to suit the clauses of this Bill. It is not practicable. I speak with some knowledge of the matter, and I confidently assert that the noble Earl is in advance of public opinion in regard to it. It is not a matter for your Lordships; it is essentially a matter for the Licensing Authorities; and if there is any body of people in the country who have a wish in this matter, why do not they show their strength at the Licensing Sessions, and use their influence with the magistrates not to grant the licenses as they exist at present? I am convinced, my Lords, that up to the present the Licensing Justices have used great discretion in this matter, and where they have not been wanted licenses have not been granted. This is, I suggest, an unnecessary interference with the Railway Companies and the contractors. I will take them together, because the Railway Companies in some cases carry on their own refreshment rooms, in others it is done by contractors. It is an unnecessary interference with them, and I fail to see, up to the present, that there has been any particular demand for this accommodation. To my mind, on the contrary, there is a very great objection to the noble Earl's Bill, and it is this: We all know that one of the great difficulties of the day is the carrying of the Metropolitan traffic by the great railways around this city. The noble Earl last year suggested the exemption of the Metropolis; but this year he has not said a word about that, and if this Bill were carried, considering the pounds an inch that land near London is worth, it would be impossible for the Railway

Companies to do their duty to the passengers, for they would not be able to obtain space for the accommodation. I will not detain your Lordships further. This is essentially a matter of supply and demand. As far as we have seen, the Railway Companies have carried out what was wanted of them; but even if they had not, it is a matter for them to decide. It is to their interest to provide good accommodation for their passengers; and it is a certainty that where good accommodation is not provided in these days of competition, they will lose a large amount of traffic. I therefore would ask your Lordships to reject the Bill.

LORD HERSCHELL: I should like to say why I should vote for the Second Reading of this Bill. I agree very largely with the criticisms of my noble and learned Friend; but I think the Railway Companies do need a little pressure in this matter to meet a complaint which has been admitted to be reasonable by even those speakers who have opposed the Second Reading. I am afraid the optimistic view on the part of the noble Lord representing the Board of Trade is not likely to put that amount of pressure on the Railway Companies which they may need. The Bill only proposes to deal, as I understand, with railway refreshment rooms hereafter to be established. It is said that the system is in general a bad one, and that you should not have a refreshment room, only a waiting room; but there may be cases in which it would be possible to avoid any difficulty of that kind. I should like to say that, as far as the last point referred to is concerned, the power might well be exercised when licenses are asked for in respect of railway stations, upon ascertaining what accommodation is provided there, and upon its being shown that there is reason why the accommodation provided should be the only accommodation.

*EARL BEAUCHAMP: My Lords, I have only a few words to say. The noble Lord has said that last year the Metropolis was exempted, and that there is now no exemption. It is for this simple reason: that the mischief is done in the Metropolis. On the Underground Railways in London, where land is so valuable, the stations have all obtained their licenses, and they therefore are exempt. Then the noble and learned Lord said all existing licenses may be brought under the operation of this Bill as it stands. That is not my intention, and if any form of words can be suggested to make that meaning clear I will gladly adopt them. I have no objection to make any concession on that point. Then with regard to what was said by the noble Lord on the Treasury Bench, I think it has been answered by the noble Lord opposite. As to temperance agitation, I can only deny what Lord Grimthorpe has attributed to me. As regards the Licensing Justices, I do not think anybody with the slightest pretension to being a lawyer can say that they can deal with the subject at present. I was much surprised to hear my noble Friend say that the matter is already provided for by the law. I am sure the Licensing Justices cannot deal with the matter. The Licensing Justices act under the authority of Parliament. They have no power at present in granting a license for one set of premises to inquire into the state of, or what is done on other premises. If the Licensing Justices were to take into consideration the state of premises A and B when called upon to license premises C and D they would be exceeding their duty, which I think is what the Licensing Justices are not in the habit of doing. The noble Lord near me has evidently his own views about the timing of trains. He is very anxious to have a Bill introduced with regard to that subject, and to to keep Railway Companies to the contracts they have entered into, but that is entirely a different question. The noble Lord has his hobby, and may deal with it. I maintain that Railway Companies are bound to provide due and proper accommodation for railway passengers, without exposing them to unnecessary discomfort and inconvenience. That is a very simple proposition; and I do not think it is a good argument that because we have allowed the Railway Companies to slip out of our control to a great extent we should allow them to escape from it still further, and I do not see why adequate provision should not be made in this matter. A noble Lord said that the Railway Companies might put the licenses up to auction, and A, B, C, and D might contend with each other for them, and disregard the conditions. They might; but what would be the

consequence? They would have no grievance whatever to complain of on being deprived of their licenses. It is quite possible the penalty in the last clause may be too severe. If so, I shall be happy to amend it; but nobody knows better than Lord Kimberley what difficulties there are surrounding such a question as this. I shall be glad if your Lordships will give a Second Reading to this Bill, which I am quite sure will be of great use to a large portion of Her Majesty's subjects.

On Question, that the word "now" stnad part of the Motion? Their Lordships divided :—Contents 17; Not-Contents 54.

Resolved in the negative.

Bill to be read 2ª on this day six months.

TRUST COMPANIES BILL.—(No. 42.)

Amendments (on Re - commitment) reported (according to order) ; and Bill to be read 3ª To-morrow.

COLONIAL COURTS OF ADMIRALTY BILL.—(No. 44.)

Read 3ª (according to order) ; an amendment made ; Bill passed, and sent to the Commons.

THE BERLIN LABOUR CONFERENCE.

QUESTION—OBSERVATIONS.

*The Earl of DUNRAVEN : My Lords, before asking the question which stands in my name on the Notice Paper, I should like to express my great satisfaction that Her Majesty's Government have found themselves in a position to accept the invitation to assist at the Congress now assembled at Berlin for the discussion of certain matters affecting labour. It would, I think, have been a very unfortunate thing if this country, which has taken the lead in manufacturing enterprise, and also in the care and consideration bestowed upon the people employed in them, as shown in such matters as the observance of Sunday, and the restrictions placed upon the employment of children, young persons, and women, had not been adequately represented ata Conference of this nature. My Lords, I do not myself attach a very great, certainly not an exaggerated, importance to what the probable and immediate results of the Congress may be as far as this country is concerned. I have no doubt a great deal of good will result to workers in foreign countries, and I hope that a great deal of good will eventually result to the workers in this country. But the matter is one which has attracted a great deal of attention, not only on account of the exalted position of the originator of the idea, and on account of the fact that this is the first occasion on which Governments have met together to discuss matters affecting labour, and to endeavour to devise means whereby the interests of labour may be furthered in their respective countries. It also attracts attention on account of certain matters which are to be there under discussion. There can be no doubt that a great result will be achieved if this Congress itself, or future discussions originating from it, can devise any means whereby in the event of international competition becoming excessive and injurious in its effects, means may be devised whereby those injurious effects upon the moral and physical health of the working populations might be modified. But there is one particular point which is of enormous importance to us in this country, and that is the second and third matters which are mentioned to be brought under discussion. It is said that inasmuch as the working-day in mines is fraught with great danger to health, it is a matter for discussion whether it should be subject to limitation. As to that proposition, I have only to say that I am sorry it does not go a little further, and say that there is danger to life, for I have not the slightest doubt that thousands of lives have been lost in this country, owing to carelessness arising from fatigue, which has been caused from working excessive hours in mines under hard conditions. The other subject of discussion to which I alluded is, whether it would be possible in the public interest, in order to assure the regularity of the output of coal, to subject labour in mines to International regulations. I need not point out to your Lordships the enormous importance to this country of anyhing affecting the output of coal. The coal industry is in one respect the greatest in the country ; that all the other manufacturing industries depend upon it ; and the coal industry itself, to a great extent, depends upon the foreign trade in coal. On account of this particular subject which is to come

under discussion, and on account also of the great importance for several reasons that have appeared of this Congress as a whole, it seems to me (that is, of course, supposing no injury can accrue to the Public Service by doing so) that it would be very desirable that the Instructions under which our Plenipotentiaries and Delegates are discussing these matters, should be presented to Parliament before the Recess, and I therefore wish to ask Her Majesty's Government if they will lay upon the Table of the House a Copy of the Instructions given to the Plenipotentiaries appointed to represent thiscountry at the Labour Conference at Berlin?

THE MARQUESS OF SALISBURY: It is entirely unusual to lay the Instructions given to our Representatives at a Congress or Conference on the Table before that Conference is concluded. I do not mean to say that there have been no exceptions to the rule, but the exceptions are exceedingly rare. On the present occasion I do not think there is any temptation to commit an irregularity, because the Instructions, if laid upon the Table, would not interest my noble Friend in the least. They are of the most general character, and mainly echo the terms of the Despatch in which the invitation to the Conference was accepted. It is obvious that only general Instructions could be given, because we were not aware of the precise nature of the proposals which it was the intention of the German or other Governments to submit. If the Conference had been one of our suggestion, or had been summoned by this country, of course the summons would have been given with certain specific objects which might have been dwelt upon in Instructions to Plenipotentiaries. But where the Conference is of a character so entirely novel, and the precise nature of the recommendations suggested for submission is a matter of uncertainty, there clearly could be no advantage in giving hypothetical Instructions. Of course, our Representatives act on the principle that nothing of importance shall be assented to without the sanction of Her Majesty's Government being first obtained; and, knowing who the Representatives are, I do not think that there is any danger of their giving any unwise or incautious assent. But I have every ground for believing that, although the results of the Conference may not appear very large as compared to the sensation which the Conference has created and the notice which has been attracted to it, still considerable advantage will result from its deliberations, and not the smallest advantage will be that it will give some hope that other countries will come up to the level which this country has already attained in the care which it bestows on the regulation of infant and female labour, and for the provision of the weekly rest which we so much value. If that is done, not only will a great and philanthropic end be obtained, but also a great end of justice for the labourers of this country. Our working population has now for many years past been working at a great disadvantage in point of pure commercial competition by reason of the very care and precautions which Parliament has properly taken in their higher interests which I have named. If that result comes from the Conference, it will be of great advantage. I do not say that other results may not come, and that there may not be matters coming up at the Conference with respect to which Parliament will have subsequently to be consulted; but I think that there is every ground for believing that the recommendations which the Conference is likely to make will be in general harmony with those principles which the English Parliament has hitherto pursued.

THE SELECT COMMITTEE ON THE SWEATING SYSTEM.

*THE EARL OF DUNRAVEN: In asking your Lordships to exempt me from further attendance on the Select Committee which you appointed three Sessions ago to inquire into the Sweating System, I do not think it would be proper for me to go into my reasons in detail on this occasion, however desirous and anxious I might be to do so, and I am most anxious. Your Lordships will, I think, realise that this inquiry is, in some respects, very peculiar in its character. You will understand that it is not a very pleasant thing to ask to be dissociated from one's Colleagues in a matter of this kind, and I hope your Lordships will believe that, in my mind at any rate, the motives which actuate me are amply, and more than amply, sufficient. Your Lordships know that, in the first week of last August, your Com-

mittee decided to postpone, on account of the late period of the Session, the consideration of the Draft Report, which, as Chairman, it was my duty to bring up. And you are probably aware, because it appears to be generally known, that when the Committee re-assembled a month ago they, on a Division, unanimously decided not to take into consideration that same Draft Report; and they have not met since. I do not wish to make any remarks about that, other than to say that it indicates, of course, a very considerable difference of opinion between the Chairman and the Committee as to the whole nature and character of the Report that is called for by the evidence that was given before the Committee. The House will some day have an opportunity of judging of all these matters; and when your Committee report, assuming, of course, that I am still alive and not disabled by the decrepitude of extreme old age, I shall be able to enter into any explanation that may seem necessary or desirable. I will only add that I feel myself to be in a very unsatisfactory and equivocal position in so far as I am credited with duties and responsibilities that I am not in a position to fulfil and to discharge. I am and must be held liable, outside this House, at any rate, in matters of fact and opinion which I am powerless to affect or influence. If any good could result from my continuing to serve on your Lordships' Committee, I think it would be my duty to put on one side any considerations of that kind, however much my opinions or my views might be liable to misconception, but I can be of no service to the Committee or to the House, or to the public in this matter. Any useful work that I was able to perform was accomplished many months ago; and as I feel certain that no harm can possibly arise to any person interested in the matters that were brought before the Committee, I feel myself at liberty to ask your Lordships to relieve me from what I think is a false position, a position very unsatisfactory and disagreeable to me; and with all respect I ask your Lordships to dispense with my further services on this Committee.

*THE EARL OF DERBY: My Lords, of course I do not rise for the purpose of objecting to the Motion of the noble Earl opposite, however much I and other Members of the Committee may regret the decision to which he has come; but I quite agree with him that this is not the time at which any controversial discussion can take place with regard to the causes of his retirement from the Committee. In the first place, it would be contrary to the Rules of this House to enter into a discussion upon the proceedings of a Committee which is still sitting and has not yet reported; in the next place, even if it were not contrary to order, it would be contrary to common sense, because it is quite obvious your Lordships can be no judges of the merits of a dispute with regard to which you have not the Papers before you. Neither the Report to which the noble Earl has referred nor any other which may be substituted for it are in your Lordships' hands; and in the absence of those documents it is clearly impossible for you to form any judgment upon the question at issue. I will only say that in my judgment, and I may say in the unanimous judgment of those who sat with me upon the Committee, there is really no such fundamental difference of opinion between our views and those of the noble Earl as he seems to imagine, and we did not, and do not, see that there was anything to necessitate his retirement. At the same time, we fully admit that is entirely a question for him to decide. We therefore accept his decision, and we shall always do full justice to the care and attention and the assiduous labour which he has given to what he truly calls an unusually difficult and protracted inquiry.

LORD THRING: My Lords, I feel called upon to make a few observations upon this subject. Of course, as the noble Lords have said, it is impossible for us to discuss the matter now. The draft Report of the noble Earl has not yet been made public. Those of the other noble Members of the Committee are not even printed yet, and, therefore, we cannot compare them. But there is one circumstance to which I feel bound to call your Lordships' attention. Immediately after the sitting took place at which the noble Earl's Report was rejected, there appeared a paragraph in various newspapers stating that the noble Earl's Report had been rejected because it showed too much sympathy with the poor and prophesying

that the Report which bears my name would be colourless, would express no sympathy with the poor, and was altogether the Report of a political economist of the oldest and driest school. I shall say nothing with regard to the Report, for it will speak for itself; but this I will say, that I and the other noble Lords on the Committee were not less careful of the needs and wants of the poor than the noble Earl; and I am able for myself and Colleagues to express the admiration which we have felt at seeing the patience with which the poor bear their sufferings, at the absence of exaggeration on the part of the witnesses and the plain and simple way in which they related their tales of misery; and more than that, our admiration at that which has, perhaps, still more impressed itself upon our minds than any other circumstances in this inquiry, namely, the unbounded charity with which, according to the evidence, the poor relieve each other's necessities. I may assure your Lordships that the Report will do full justice to the conduct and needs of those whose position was inquired into.

Ordered, That the Lord Kenry (*E. Dunraven and Mount-Earl*) be exempted from further attendance on the Select Committee.

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 24th March, 1890.

QUESTIONS.

IRELAND—EMPLOYMENT OF INSPECTOR JARVIS.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether Frederick Jarvis is now an Inspector in the employment of the Criminal Investigation Department, and is now in London; whether he was in the employment of the Department in December, 1888; whether in that month of 1888 he was at Del Norte, Colorado, a town close by the ranche of P. J. Sheridan; and, if so, what was the object of his mission there; and whether, if he does not personally know if Jarvis was at Del Norte in December, 1888, and why he went there, he will cause inquiry to be made of Jarvis?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The answer to the first two paragraphs is in the affirmative. I am informed that Inspector Jarvis was never at any time at or near Del Norte, Colorado.

MR. LABOUCHERE: Has the right hon. Gentleman caused inquiry to be made as to whether Inspector Jarvis is now in London, and was this information derived from him?

MR. MATTHEWS: I derived my information from the head of the Criminal Investigation Department, to whom I referred the hon. Member's question this morning.

MR. P. J. SHERIDAN.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the following passage in a telegram from Kirby, an agent of the *Times* in America, to Mr. Soames, the Solicitor of the *Times*—

"If you want me to take him (Mr. P. J. Sheridan) over you must amend your evidence in Court after reading my report as to his refusing to accept any sum to go over, to make his life more safe here;"

Whether he is aware that Mr. Soames had already given evidence before the Special Commission in regard to his relations with Kirby, and Kirby's relations with Sheridan in regard to moneys to be paid under certain eventualities to Sheridan; and whether, in view of the fact that the words above cited appear to amount to a suggestion from one of the agents of the *Times* to the Solicitor of the *Times*, that the latter should make a false statement on oath before the Special Commission, the Public Prosecutor intends to take any action in the matter?

MR. MATTHEWS: My attention has been called to the extract from the telegram in question by the speech of the hon. Member for the Harbour Division of Dublin on the 4th inst. Without seeing the "report" alluded to, and the communication to which Kirby was

replying, it is difficult to say what he refers to; but I do not, from that extract, either by itself or in connection with any evidence of Mr. Soames's, draw the inference that Mr. Kirby suggested to Mr. Soames that he should make a false statement upon oath, and I do not see anything in the facts, so far as I know them, on which the Public Prosecutor could take action.

MR. COBB (Warwick, S.E., Rugby): Have the police obtained the information as to Mr. Soames having drawn the £10 and £5 notes from the Bank in August and September, 1888; and have the police also obtained information as to when and to whom Mr. Soames paid away the two notes?

MR. MATTHEWS: I am informed that the police obtained the information that the notes in question were paid out on Mr. Soames's cheques, but they did not obtain information as to when or to whom Mr. Soames paid away the two notes.

THE DEATH OF JOHN CONOLLY.

DR. TANNER (Cork Co., Mid): I beg to ask the Attorney General for Ireland if his attention has been directed to the evidence given at the inquest upon the sudden death of John Conolly, of Leap, County Cork, in the bail section of the Cork County Gaol, on Wednesday, the 12th instant, from which it appears that Conolly, when previously imprisoned, a short time since, was confined in an invalid cell; that he had been anointed by Father Carney, C.C., on the morning of his arrest, and was found in bed by the police, who arrested him, took him to Leap, and kept him there all night; that Dr. Moriarty, the prison physician, swore that the man was seriously and dangerously ill, and not in a fit condition to be removed, and that he died from collapse in consequence of his removal by the police; whether he is aware that the *post mortem* examination proved the man had suffered from extensive disease of the heart, lungs, pleura, and liver; and whether the Government propose to take any action with regard to the conduct of the police on this occasion?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The attention of the Irish Government has been directed to the case referred to. It appears that the deceased, who had been out on bail on a charge of cattle stealing, was arrested on March 10th, at the instance of one of his sureties on his sworn information that the man was about to abscond. The police had no reason to believe that the deceased man was in a serious condition of health. On the contrary, it appears, from evidence given at the inquest, that the deceased's mother stated in their presence on the occasion of the arrest that the man ought to be out at work, as she never saw him looking better. Dr. Moriarty appears in his evidence to have stated, as the result of a *post mortem* examination, that the cause of death was syncope, and that he found a considerable amount of disease, sufficient to cause death at any moment. That disease appears to have been of the nature indicated in the second paragraph. The Government are not aware of action on their part being called for. The Coroner's jury acquitted the police of any culpability in the matter.

DR. TANNER: Is it not the fact that this man was confined on his first imprisonment in an invalid cell, under medical supervision, owing to the delicate state of his health?

MR. MADDEN: Yes, Sir; I think the hon. Member is quite right that on the occasion of his first arrest Conolly was confined in the hospital, but there was no reason to suppose at that time that his illness was of the serious nature which it subsequently turned out to be.

DR. TANNER: Has the attention of the right hon. Gentleman been called to the fact that at that time Conolly was suffering from extensive disease?

MR. MADDEN: I do not think that attention was called to the actual condition of the man until the *post mortem* examination took place. Until that took place the serious character of the disease had not manifested itself.

DR. TANNER: Is it not the fact that when released from his first imprisonment this man was unable to walk and was assisted downstairs?

MR. MADDEN: I know nothing about that.

COMPULSORY EDUCATION IN IRELAND.

MR. W. A. MACDONALD (Queen's County, Ossory): I beg to ask the Attorney General for Ireland whether his

attention has been called to a resolution in favour of compulsory education for Ireland, passed by the National School Teachers' Congress at the beginning of January last; whether he is aware that a similar resolution has been passed by the teachers at several preceding congresses; whether it is clear from the census returns that the proportion of persons who cannot read and write is greater in Ireland than in Great Britain; whether this disproportion is due to the absence of any system of compulsion in Ireland; and whether he will introduce any legislation giving practical effect to the recommendation of the Teachers?

MR. MADDEN: The attention of the Irish Government has been called to the resolutions referred to. It is the case that the proportion of wholly illiterate persons appears to be larger in Ireland than in Great Britain. I have no special information as to the cause of this disproportion; but there is no reason to suppose that the hon. Member's contention is not accurate. However desirable a system of compulsory education for Ireland might be, it would not be practicable to consider the matter with a view to legislation at the present time.

ENNISKILLEN POSTMASTER.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Postmaster General whether his attention has been called to the claims of David McGaw, of Enniskillen, for compensation for breach of contract by the Postmaster of Enniskillen; whether he is aware that Mr. McGaw recovered judgment against the Postmaster at the Enniskillen Quarter Sessions, and that the judge advised that the Treasury should be petitioned for compensation for Mr. McGaw; and whether, under these circumstances, the Treasury will give compensation?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): Mr. McGaw's claims have frequently been under the consideration of the Treasury. After he had taken proceedings against the Postmaster of Enniskillen, in 1884, to obtain specific performance of an agreement to take a lease of the old post-office premises for 40 years (from 1879) at £40 a year, he was offered £200 to cancel the agreement. This he refused, and the Postmaster was compelled to execute the lease. Mr. Magaw has, therefore, no claim for compensation on that account.

LAND COMMISSION—ROSCOMMON.

MR. O'KELLY (Roscommon, N.): I beg to ask the Attorney General for Ireland whether he is aware that great delay has occurred in dealing with applications to have fair rents fixed in that portion of Roscommon included in the Carrick on Shannon Union; that originating notices served in 1887 have not yet been dealt with by the Land Courts, and that the landlords are pressing for full rents; and whether he can undertake to expedite the hearing of cases in the district of Roscommon?

MR. MADDEN: The Land Commissioners report that two sets of Assistant-Commissioners have been working continuously in the county Roscommon since October last, and will continue in that county until all the originating notices received before December, 1887, have been disposed of. There has been no unnecessary delay in the disposal of cases from the district referred to, the several unions having been taken up in their turn. There is no official information that the landlords are pressing for full rents. Lists will shortly be issued for the district of Roscommon mentioned.

BELFAST LINEN LAPPERS FRIENDLY SOCIETY.

MR. SEXTON (Belfast, W.): I beg to ask the Secretary of State for the Home Department whether any steps have been taken by the late Trustees or late secretary or chairman of the Belfast Linen Lappers Friendly Society, or otherwise, to recover the money which, by the annual statement of accounts of the society to the 31st December, 1888, appears to have been misappropriated; whether any inquiry has been made into the allegation that receipts for amounts due as salary to the society's medical officer were forged; have the late Trustees or other officers given all the information required to the society; have they communicated the facts to the Registrar of Friendly Societies; and what steps he has taken, or intends to take, to secure the recovery of the money?

MR. MATTHEWS: I am informed by the Registrar of Friendly Societies that neither he nor the Assistant Registrar for Ireland has any information on the matters in question, and not being in possession of any information on the matter, he has taken no steps and is not in a position to take any. I would suggest that the hon. Member should communicate with the Registrar, so that whatever action is necessary may be taken.

THE BELFAST POST OFFICE.

MR. SEXTON: I beg to ask the Postmaster General what decision has been come to with respect to higher appointments in the Telegraph Department of the Belfast Post Office, and generally as to the number and classification of officials in that department; how soon the promotions and appointments consequent upon the adoption of the new system will be made; and whether length of service will be considered in the case of promotion?

*MR. RAIKES: In the Belfast Post Office a few higher appointments have recently been sanctioned. No time will be lost in promoting to these appointments, and I can assure the hon. Member that, in making the promotions, due weight will be attached to length of service.

EDUCATION IN IRELAND.

MR. FOLEY (Galway, Connemara): I beg to ask the Attorney General for Ireland with regard to the facts that the Boards of National and Intermediate Education and the Senate of the Royal University are so constituted as to include a Catholic element in the proportion of one half, that the higher paid appointments in these institutions follow the same rule, and that this proportion is maintained by the free action of the Executive Government, there being no statutory provision in this respect; whether he is aware that the governing body and office bearers of the Queen's College, Galway, are and have been for some time exclusively Protestant; and whether the Executive will make appointments in Galway on the same principle that obtains in the institutions named above, on the ground that a distinct Ministerial pledge was given in this House that the patronage of the Crown would be so exercised as to secure, if possible, the services of Catholics in the appointments to Queen's College, Galway?

MR. MADDEN: I must ask the hon. Member to postpone the question, as I have not read the information that would enable me to answer it.

THE IRISH MAIL SERVICE.

MR. SEXTON: I beg to ask the Postmaster General what is the cause of the delay in granting the extra mail guards, appointed on the limited mail service in Ireland, their permanent appointments; whether these officials are now four years doing the duty of mail guards on the limited mail service, and whether some of them have 16 or 17 years' good service; and why they have not as yet been supplied with mail guards' uniforms in substitution for those of letter carriers?

*MR. RAIKES: The appointment of mail guards has long been discontinued. The men to whom the hon. Member refers are postmen. The travelling duty is much sought after, as the postmen, in addition to their wages as such, receive while performing it a trip allowance.

MAGEE COLLEGE.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the death of the late Rev. Dr. Withers has deprived Magee College of representation upon the Senate of the Royal University; and that Magee College is the only one of the four colleges recognised by the University without such representation; and whether, having regard to the relations of this college to the University, and the number of matriculated students of the University in attendance upon its classes, he proposes to continue its representation upon the Senate, by the appointment to the existing vacancy of a member of the Magee College Faculty?

MR. MADDEN: The matter referred to by my hon. Friend has been already engaging the attention of the Irish Government, and is still under consideration.

GOVERNMENT ADVERTISEMENTS IN IRELAND.

MR. PATRICK JOSEPH O'BRIEN: I beg to ask the Attorney General for

Ireland whether his attention has been drawn to the fact that, at the recent Spring Assizes at Nenagh, the Grand Jury for the North Riding of Tipperary passed unanimously a resolution approving of having the public advertisements published in the *Tipperary Sentinel*, the newspaper representing popular opinion circulating in the district; and that when the resolution subsequently came before the Grand Jury for the South Riding of the county in the ordinary way, they refused to ratify it, the foreman, as reported, making use of these words—

"I may state I have a resolution here from the Grand Jury of the North Riding, recommending us to give advertisements to the *Tipperary Sentinel*. Is there any such paper in existence? 'We will have nothing to do with any such paper.'"

Can he state on what grounds this course was adopted, and the recommendation of the Grand Jury where the paper in question was published set aside, they having full knowledge of the merits of the case of which the Grand Jury at Clonmel admitted their entire ignorance; and whether he will cause inquiry to be made into this matter, which concerns so largely the ratepayers of the county?

MR. MADDEN: There is no official information on the subject of this question, as Grand Juries are not under the control of the Irish Government. The Secretary of the Grand Jury of the South Riding of Tipperary has, however, favoured me with a statement to the effect that the resolution referred to was received by the Grand Jury, bnt as no member knew anything about the newspaper mentioned, and as no one appeared on its behalf, they decided to postpone the consideration of the matter.

TUBERCULOSIS.

MR. SEXTON: I beg to ask the Minister of Agriculture whether the attention of Her Majesty's Government has been directed to the fact that a number of cattle, the property of small fleshers, are being condemned on account of the disease known as tuberculosis; that the fleshers, through no fault of theirs, are thus deprived, in many cases, of their means of subsistence; and whether the Government will take some action to compensate fleshers thus deprived of their cattle, taking into consideration the fact that compensation is given to owners of animals destroyed under the Contagious Diseases (Animals) Act?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I think the hon. Member must have been misinformed. No cattle that I am aware of, the property of small fleshers or others, are condemned or have been condemned on account of tuberculosis. What has happened, I believe, is this—that in the case of certain animals which have been bought apparently in perfect health tuberculosis has been subsequently discovered after the animals have been killed, and the meat in consequence has been condemned as unfit for human food by the Sanitary Inspector. The loss in that case to the butcher is very serious, and it appears to be exceedingly hard upon him. But I am afraid it is one of the risks which are incident to the trade, and I am not aware that it is in the power of any authority to compensate persons for any losses which have arisen under those circumstances. I am inquiring into the matter, however, and I am to receive a deputation on the whole question very shortly in conjunction with my right hon. Friend the President of the Local Government Board, after which I shall be better able to pronounce a more definite opinion.

MR. SEXTON: Will the right hon. Gentleman consider this case in connection with the Bill he is about to introduce for taking further powers?

MR. CHAPLIN: No, Sir. It would be impossible for me to deal with this question in connection with the Bill, which I have already laid on the Table, with regard to pleuro-pneumonia. The two questions differ greatly in many respects, but I shall give to the hon. Member's question most careful attention, with the hope of its being possible to take some measures with regard to it at a later period.

NEWFOUNDLAND FISHERIES.

MR. WILLIAM REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs if he is aware that great discontent exists in Newfoundland about the settlement of the Fishery Question between the Government and France; and whether any protests against this

settlement have been received from Newfoundland by the Government?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government have learned by telegraph that the two Houses of the Newfoundland Legislature have passed a Resolution protesting against the *modus vivendi* agreed upon between Her Majesty's Government and that of France for the regulation of the lobster fisheries during the ensuing season. Only a telegraphic report of this arrangement has as yet reached the colony, and it appears to have been imperfectly understood.

MR. W. REDMOND: Was the Government of Newfoundland consulted by Her Majesty's Government in regard to the arrangement come to?

*SIR J. FERGUSSON: Yes, Sir; I stated so the other night; and, so far as the principle of a *modus vivendi* is concerned, there was no disapproval.

DR. TANNER: Will adequate protection be afforded to the officers of the fisheries of Newfoundland?

*SIR J. FERGUSSON: I stated the other night that there would be a continuation of the *status quo* until a more permanent arrangement has been made; that is to say that all the existing factories, whether French or English, will be protected.

POLICE SUPERANNUATION.

MR. COLMAN (Norwich): I beg to ask the Secretary of State for the Home Department whether it is the intention of the Government to revise, during this Session, the terms and conditions of Police Superannuation?

MR. THOMAS HENRY BOLTON (St. Pancras, N.): I also wish to ask the right hon. Gentleman when a decision is likely to be given with reference to the proposed revision of the Metropolitan Police Superannuation scheme?

MR. MATTHEWS: The subject of Police Superannuation has for a considerable time received the attention of the Government, and I hope before long, in spite of the many difficulties, to be in a position to state to the House the decision the Government have arrived at with respect to the matter.

SIR H. SELWIN-IBBETSON (Essex, Epping): Arising out of this question, and having in view the great disappointment to which the police have been subjected, I should like to ask whether, considering the question has so repeatedly been brought before the House, the Government are not prepared to give some definite assurance that they will press the matter to a decision this year.

MR. MATTHEWS: The Government are quite sensible of the importance of the question, and are extremely anxious to arrive at a settlement.

THE COAL MINES REGULATION ACT.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Secretary of State for the Home Department what is the total number of collieries which yet remain exempted from the obligation to provide weighing machines, imposed by "The Coal Mines Regulation Act, 1887;" and at how many collieries has this exemption been withdrawn by him since 1st April, 1889?

MR. MATTHEWS: The number of mines where exemptions as to weighing machines granted under the Act of 1872 are still acted upon is, in all, 83. Of these, over 39 persons are employed in 23, and under 30 persons in 60. No exemptions as to weighing have been withdrawn by me since April 1, 1889, and no application has been made to me for that purpose.

THE BLOOMSBURY RIFLES.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for War whether he is aware that nearly the whole of the bandsmen of the 19th Middlesex, Bloomsbury Rifles, have recently received written notice from the Adjutant that they have been reduced to the ranks for insisting on the performance of a clause in their condition of service, by which they were guaranteed a minimum of 10 engagements per year, at 5s. per engagement; and whether he will cause an inquiry to be made as to the circumstances under which these Volunteers, engaging as bandsmen, have been reduced to the ranks as privates?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The bandsmen in question

were reduced to the ranks for insubordination, and not because they insisted on being paid for a minimum number of engagements. Being members of the Volunteer corps, they continue as privates on ceasing to be bandsmen. As a matter of discipline this was a case for the Commanding Officer, and I do not propose to institute any inquiry on the subject. But it seems to me clearly a case where the Commanding Officer ought to be strongly supported in maintaining the discipline of his corps.

MR. BRADLAUGH: May I ask whether any other case of insubordination has been brought before the notice of the Commanding Officer except asking for money, which they were entitled to, and which in writing had been agreed to be paid to them?

*MR. E. STANHOPE: No, Sir; that was not the only act of insubordination. I have been shown the receipts in full, signed by the bandsmen, for all that was due to them.

MR. BRADLAUGH: No doubt there are receipts in full now; but I wish to ask the right hon. Gentleman whether the only act of insubordination alleged at the time was the asking for a payment of money which, by agreement, they were entitled to?

*MR. E. STANHOPE: I have only to say, so far as the evidence has come before me, that the Commanding Officer was justified in the action he took.

GLASGOW POST OFFICE.

MR. PHILIPPS (Lanark, Mid.): I beg to ask the Postmaster General if he can explain why at the Glasgow Post Office the 1s. allowed for refreshments at Christmas, and formerly paid to the men in cash, was last Christmas paid in 4d. refreshment tickets available only at the Post Office "Dining Club," and on what grounds about 150 men who declined to accept the allowance, because paid in this way, were deprived of the allowance altogether; whether he is aware that the Glasgow Postmaster is one of the proprietors of this club, and that the supplies for the club are obtained from a farm belonging to the Postmaster; and whether he will now undertake to pay the 1s. allowance to those men who were deprived of it at Christmas?

*MR. RAIKES: I find that at Christmas of 1887 and 1888 the Postmaster of Glasgow, instead of distributing to the staff refreshments to a value not exceeding 1s. a head as authorised, gave to each member money to procure his own refreshment. This was contrary to regulation, and last Christmas the authorised practice of distributing refreshments gratuitously was reverted to. The Postmaster has, I understand, taken great personal interest in the management of the post office refreshment room, and mainly through his exertions it has become a complete success, and given much satisfaction to the staff. He assures me that he has no pecuniary interest in it, direct or indirect. May I venture to suggest to the hon. Member that before putting a question of such stupendous interest it might be well to ascertain a little more carefully how far the serious imputations conveyed by it have any relation to fact?

POSTAL ARRANGEMENTS AT BARRA.

MR. KEAY (Elgin and Nairn): I beg to ask the Postmaster General whether his attention has been directed to the insufficiency of the postal arrangements and accommodation at Barra, during the fishing season, when upwards of 5,000 persons are collected there; whether he is aware that all letters have to be called for at the post office by the public, while the space available for them inside the office is stated to be only 12 feet by 3 feet 6 inches, and that, consequently, many persons have frequently to wait for an hour or two before they can get inside to receive their letters; whether he will consider the advisability of having the letters delivered at the stations of the respective curers, in whose employment the bulk of the fishing population are, and to whose care their letters are generally addressed; and if he is aware that such delivery would only cost the Postal Department about 12s. a week during the eight weeks in the year.

*MR. RAIKES: Yes, Sir. My attention has been directed to this matter. A delivery by postman is made in the village of Castlebay (Barra) throughout the year, and the letters called for at the post office are mainly those for the fishing population stationed there during the months of May and June. Some time ago alterations were made at the

local post office, which have facilitated the transaction of postal telegraph business by the public, and I am informed that there will in future be no difficulty in promptly distributing the letters called for. A special delivery at the curing stations could be provided for at the rate mentioned by the hon Member, but seeing that the cost of the postal service to Barra is already five times the revenue produced by the correspondence, I regret that I do not feel justified in further increasing the expenditure.

PEMBROKE DOCKYARD.

MR. PHILIPPS: I beg to ask the First Lord of the Admiralty whether his attention has been called to the low rate of wages paid to the workmen at Pembroke Dockyard: and whether the rate of wages at Pembroke Dock is lower than the rate of wages at other Royal Dockyards; and, if so, whether the pay of the workmen at Pembroke Dock can be raised?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The rates of wages for the different classes of workmen are the same at Pembroke as at the other dockyards. There is one uniform scale of rates for all the yards. My gallant Friend the Member for Pembroke has for a long time past pressed on me the advisability of so grading the different rates of pay as to insure a more certain rise within fixed periods for deserving workmen to the higher rates of pay. This matter I have for some time past been considering, and in a very few days new regulations will be issued.

AN ALLEGED UNSEAWORTHY SHIP—THE *CADOXTON*.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of 11 seamen who were brought before three magistrates at Cardiff on Saturday, the 15th instant, for refusing to go to sea in the steamship *Cadoxton*, which had been obliged to put back, leaking badly, for repairs, and, who set up as a defence, that she was still unseaworthy; and whether he will inquire why the magistrates refused an adjournment until the following Monday, when the Report which, it was admitted, had been made by Lloyd's Surveyor, could have been obtained, but sent all the men to prison with hard labour for 14 days?

MR. MATTHEWS: Yes, Sir; I have obtained a Report from the Justices. They inform me that they had before them the evidence of the captain that the repairs had been passed by Lloyd's Surveyor, and also the evidence of the Board of Trade Surveyor, who had made an independent inspection, and on whose evidence they greatly relied, that the vessel was perfectly fit to go to sea. The leakage had been in the joint of the injection valve. The ship had already been detained for a day, the next day was Sunday, and a further adjournment would have caused two days' additional delay. The Justices adjourned the hearing until late in the afternoon in order to enable Lloyd's Surveyor, who had telegraphed announcing his arrival, to attend; but inasmuch as he did not appear at the time announced, the magistrates, being quite satisfied with the evidence, did not feel justified in consenting to any further adjournment.

In reply to a further question by Mr. A. WILLIAMS,

MR. MATTHEWS said: The ground of the decision of the magistrates was that the men had disobeyed a lawful order.

CHURCH REVENUES.

MR. CHANNING (Northampton, E.): I beg to ask the Secretary of State for the Home Department whether the portion of the Return of the Property and Revenues of the Church of England and the Ecclesiastical Commissioners, which is to be presented to the House before the 1st of June, will include the Returns for the Metropolitan area, or what it will include?

MR. MATTHEWS: The preparation of the Return is being carried out, in accordance with the terms of the Order, in counties. The portion which it is hoped to present before June 1 will probably include the County of Middlesex.

POST OFFICE INSURANCE.

MR ALFRED THOMAS (Glamorgan, E.): I beg to ask the Postmaster General whether, considering the fact that while the Post Office Insurance

secures to its contributors for the same cost 50 per cent. more than the collecting Industrial Insurance Societies, the amount of premiums received by one of these Societies alone is annually 200 times greater than the amount received by the Post Office, he will cause to be posted in a conspicuous place in every Post Office in the Kingdom two separate notices in clear type, drawn up in simple easy language, setting forth the scale of Post Office Insurance and also the scale of Post Office Pensions, so that persons desirous of making provision for old age can see at a glance the advantages of doing so through the Post Office.

*MR. RAIKES: I am extremely anxious to make known as widely as possible the great advantages which the Post Office offers in some 9,000 towns and villages to persons who are desirous of making provision for old age by means of annuities and the system of insurance. Thousands of leaflets have been issued throughout the country with this object, and notices are furnished to every office. It is difficult to draw up in concise terms notices which will meet the large variety of cases, all differing in individual particulars, which must always exist in every community. Tables are given at page 399 of the Post Office Guide, to which I should like to draw the hon. Member's attention. I shall be glad if philanthropic persons would help in schools and parishes to impress upon those for whom these facilities are provided the wisdom of availing themselves of these opportunities. I may add that I have given instructions for the issue of a new notice calling attention to the subject.

*CAPTAIN VERNEY (Bucks, N.): Are postmasters permitted to act as agents for other Insurance Companies.

*MR. RAIKES: I apprehend that no postmaster who gives the whole of his time to the service would be allowed to do so, and I do not think that any postmaster who has been appointed recently has been allowed to do so.

MR. BRADLAUGH: Some evidence was given before the Select Committee on this subject, and I would ask the right hon. Gentleman to consider the possibility of giving some inducement to Postmasters and others in some places to collect insurances for the Post Office.

*MR. BARTLEY (Islington, N.): May I ask whether the system of Post Office Insurances and Annuities is not so complicated that it is impossible for a working man to understand the regulations?

*MR. RAIKES: In reply to the question of the hon. Member for Northampton, I may say that I have given great attention to the subject and shall be glad to do all in my power to effect an improvement in the present system. I am not prepared to endorse the objection of the hon. Member for North Islington (Mr. Bartley), although I think that the existing regulations might be improved.

CONSTITUTION HILL.

CAPTAIN VERNEY: I beg to ask the First Commissioner of Works whether Constitution Hill is now the only road through the parks available for cabs but forbidden to bicycles and trycicles; and whether he will make arrangements that those vehicles be permitted to travel along Constitution Hill?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): Under the Rules of the parks, dated in September last, bicycles and tricycles are not allowed on Constitution Hill. I do not think it would be well to propose to alter these Rules in that respect, at all events until we have experience of their working during the season, when, I suppose, a larger number of carriages, cabs, and equestrians may be expected to avail themselves of the road.

THE SECOND AFGHAN WAR.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for India whether it is a fact, as stated by the *Athenæum*, that Colonel Hammond has been instructed to prepare for publication an expurgated edition of the *History of the Second Afghan War*, compiled by Captain S. Pasfield Oliver, R.A., under the orders and supervision of the late Sir Charles Mac Gregor, when that officer was Quartermaster of India, which was printed in six volumes by the Intelligence Branch of the Quartermaster General's Department at Simla and Calcutta; and, if so, what objection there is to this history being now published *in extenso*, in order that Military students may learn the entire truth of the origin and conduct of that war?

SIR J. FERGUSSON: A revised edition of the work referred to has been prepared under the orders of the Government of India. It included originally confidential papers which, in the opinion of the Government of India and of the Secretary of State, ought not to be given. The usefulness of the book is quite independent of those confidential papers.

SIKKIM.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether he can inform the House if a settlement has yet been arrived at with the Chinese Government and the authorities of Thibet regarding the question of Sikkim; and, if so, what are the terms of settlement; and when Papers relating to the subject will be presented to Parliament?

*SIR J. FERGUSSON: I am happy to be able to inform the House that a Convention settling the boundary of Thibet and Sikkim, and other matters relating to it, has been signed by the Viceroy of India and the Plenipotentiary of the Emperor of China. The Convention is on its way to this country for ratification, and when this has been given it will be laid before Parliament.

*MR. BRYCE: The right hon. Gentleman has not answered the question with regard to the presentation of the Papers relating to the subject. Does he propose to present any, and if so, when?

*SIR J. FERGUSSON: I presume that Papers will be presented when the Convention has been ratified.

*MR. BRYCE: Presented by the Government of India?

*SIR J. FERGUSSON: By one Department or the other.

THE INDIAN COUNCILS BILL.

MR. BRADLAUGH (Northampton): May I ask to what day it is proposed to defer Order No. 6, which is the Second Reading of the Indian Councils Bill?

*SIR J. FERGUSSON: The Second Reading will be deferred until the 17th of April, but I am unable to say whether the Bill will come on on that day or not.

CANNIBALISM AT SUAKIN.

MR. CHANNING: I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been drawn to the statements as to alleged cannibalism at Suakin, made in the *Daily Telegraph* of 11th March; and whether any official inquiry will be made into the truth of those statements and the present condition of the Soudanese in the neighbourhood of Suakin?

*SIR J. FERGUSSON: The latest intelligence on the subject is contained in a Report received on Saturday from Her Majesty's Consul at Suakin. It describes the shocking state of destitution among the Arabs who have collected outside the place. No mention is made of acts of cannibalism; but he states that he has seen children devouring the foulest refuse, and that cats are eaten. He believes that the daily death-rate may be taken as about 11, but adds that there must be a great loss of life in the far interior to which no remedy can be applied. A local committee is organising relief; £500 has been contributed by the Egyptian Government; a hospital for the worst cases has been established; food is distributed to 2,000 starving people daily, and relief works are being organised; but I fear that the supplies are inadequate to the growing demands. As to the causes of this distress besides war, owing to the want of rain during the past three years, there has been a failure of the harvests in the Soudan, and the *dhowrra* crop due in January was destroyed by locusts. This has led the Arabs to draw down from a great distance towards Suakin in the hope of obtaining relief. Her Majesty's Consul at Suakin expresses a hope that additional funds may be provided for the relief of this great misery by charitable contributions in this country; and a relief fund has been opened at Messrs. Cox & Co. The best help would be the despatch of at least £500 to the Consul at Suakin.

*MR. CHANNING: Will the right hon. Gentleman consider the desirability of sending out cargoes of grain or supplies of that nature?

*SIR J. FERGUSSON: This is a matter which has only lately come to our notice, and we are informed that the starving people have only lately collected there. It is hoped that private benevolence may meet the case.

*Mr. BRYCE: May I ask whether Her Majesty's Government will make representations to the Egyptian Government, in order to induce them to increase the amount of relief they propose to give, having in view also the wholesome political results that may accrue?

*Sir J. FERGUSSON: I will convey your suggestion to the Secretary of State.

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I may inform the hon. Gentleman that at the present moment the Egyptian Government are distributing relief.

SEVERE SENTENCES.

Mr. GROTRIAN (Hull, E.): I beg to ask the Secretary of State for the Home Department if his attention has been called to a report of a trial at the Assizes held recently at York, according to which a young girl between 16 and 17 years of age named Florence Wardell was sentenced to 18 months' imprisonment with hard labour, upon conviction of stealing a silver bracelet and some articles of trifling value from her employer; and whether, having regard to the tender age of the offender, and also having regard to the fact that it was her first offence, committed under circumstances of great temptation, she having been induced to leave her home by a singer at a music hall, whose acquaintance she had formed, he will cause inquiries to be made with a view to the mitigation of the sentence which, under the circumstances, was passed upon her?

Mr. MATTHEWS: Yes, Sir; my attention has been called to the case, and I am now making inquiry into the circumstances.

VOLUNTEER CAPITATION GRANT.

Mr. MAC INNES (Northumberland, Hexham): I beg to ask the Secretary of State for War the total amount of Capitation Grant given to, or due to, the Volunteers for the years 1888 and 1889; and what conditions were imposed in reference to the increased grant of 5s.?

*Mr. E. STANHOPE: The total Capitation Grant for 1886 was £396,894 10s., and for 1889 it amounted to £474,641 8s. The condition imposed for obtaining the increased grant of 35s. was that men of Rifle Volunteer Corps should pass into the second class in the musketry course. Men who failed in this, but fired 60 rounds of ball cartridge, hitting the target at least 12 times, obtained a grant of 10s. No conditions were imposed on corps other than rifles for obtaining the increased Capitation Grant.

TRIALS *IN CAMERA*.

Mr. HOWELL (Bethnal Green, N.E.): I beg to ask the Solicitor General whether his attention has been called to a paragraph in the *Manchester Examiner* of March 19th, to the effect that an application is to be made to the Court to try the case arising out of the Salford gas frauds *in camera;* and whether it is competent for a Judge to order such a case of fraud to be tried *in camera*, the Press and the public being excluded from the Court?

Mr. HOWORTH (Salford, S.): Before this question is answered I wish, Sir, to raise a small point of Order. I want to know whether it is competent for a Member, during the progress of a trial, to put a question in this House about a matter of fact already settled and decided, but in regard to which some prospective action is pending, such question being only calculated to prejudice one of the parties in the case. In view of the misunderstanding which has already arisen in regard to this matter, perhaps I may be allowed to make an exceedingly short statement. [*Cries of* "Order."] Then I will content myself with putting the question of Order.

*Mr. SPEAKER: There is nothing disorderly in the question, and the Law Officer of the Crown can reply, if he chooses so to do.

The SOLICITOR GENERAL (Sir E. Clarke, Plymouth): In reply to the hon. Member, I have to state that I had not seen the paragraph in the paper to which he calls my attention until he was good enough to send it to me. I have communicated with the hon. and learned Member for York, who is leading counsel for the defendants; and he informs me that there is not the slightest foundation for the suggestion that it is proposed to make an application to the Court to try the case *in camera*.

EMPLOYERS' LIABILITY BILL.

MR. BRADLAUGH: I beg to ask the First Lord of the Treasury if he can state when the Employers' Liability Bill will be circulated to Members?

*MR. W. H. SMITH: I have every reason to hope that it will be circulated to Members in the course of this week.

SCOTCH COMMON LANDS.

MR. MACDONALD CAMERON (Wick Burghs): I beg to ask the First Lord of the Treasury whether, in view of the very strong belief existing in many parts of Scotland that "commonty," or common lands, have been unjustly enclosed and appropriated by adjacent proprietors, he will recommend the issue of a Royal Commission to inquire into the circumstances and conditions under which such enclosures and appropriations have taken place?

*MR. W. H. SMITH: Much more specific information on this subject would be required than is contained in the question to justify the Government in considering the question of appointing a Royal Commission, but if such information is placed before us it will receive due attention.

MR. MACDONALD CAMERON: I beg to give another notice that on an early day I intend to move a Resolution on the subject.

REDUCTION OF EUROPEAN ARMAMENTS.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the First Lord of the Treasury whether Her Majesty's Government have received any communication, official or otherwise, from the Emperor of Germany in regard to His Majesty's desire for a Conference of the European Powers upon the subject of a mutual and simultaneous reduction of armaments; and whether, failing any such proposal being made, the Government will endeavour to ascertain the views upon the subject of the nations with whom they are in friendly relation?

*MR. W. H. SMITH: Her Majesty's Government have received no such communication. It is notorious that no such intention is entertained by any Government. Her Majesty's Government are in friendly relations with all the Powers, but they are not in a position which would justify their taking the step proposed.

IRELAND—THE SPECIAL COMMISSION.

MR. ROWNTREE (Scarborough): I beg to ask the Secretary to the Treasury if he can now say what is the total cost of the Special Commission, 1888, which the Government propose to defray out of the National Exchequer; and if any further Vote is required at what time and in what manner it will be brought before the House?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am not able to say, until the accounts for the current financial year are made up, what the total payments from the Exchequer on account of the Special Commission will be. I do not anticipate that any further Vote will be required.

MURDER OF A BRITISH SUBJECT IN ROUMANIA.

MR. BROADHURST (Nottingham, W.): I beg to ask the Under Secretary of State for Foreign Affairs what action the Government proposes to take with regard to the case of the Marine, named Page, belonging to Her Majesty's Ship *Cockatrice*, who was recently murdered by some Roumanian soldiers?

*SIR J. FERGUSSON: A despatch was received on the 21st instant from the British acting *Chargé d'Affaires* at Bucharest relative to this murder, and it was also reported through the Admiralty. The Commander of the *Cockatrice* and the British Vice Consul have watched the proceedings taken by the authorities in the case. Several persons are in custody, and as they are amenable to Military Law the case will be dealt with by Court Martial. If if should be considered desirable to employ a Roumanian advocate to watch the case on behalf of the Admiralty the British *Chargé d'Affaires* will be authorised to retain the services of one.

VOLUNTEERS' TRAVELLING EXPENSES.

MR. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for War, in regard to Clause 693 of the Volunteer Regulations, 1887, namely,—

"An annual allowance of 4s., in aid of the expense of travelling to and from the range, will be granted on account of each efficient

Rifle Volunteer, the headquarters of whose company are distant more than five miles from the ordinary rifle range;"

whether it is the intention of the Government that the efficient Volunteer should personally have the benefit of the full allowance of 4s., or is it intended that the Commanding Officer shall have the entire control or disposal of the whole sum, or part thereof; and, if only of part, how much of the allowance should be paid by him to an efficient Volunteer?

*MR. E. STANHOPE: This allowance is a capitation grant for efficients, and, like other capitation allowances, is payable to the Commanding Officer and the Finance Committee of a corps, under the rules approved for that corps, with a view to the payment of such travelling expenses to the ranges as the Commanding Officer may deem right for the purpose of securing the efficiency of the men. It will thus be seen that the allowance is to the corps and not to the individual Volunteers.

HENLEY SCHOOL BOARD.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the School Board of Henley, in Suffolk, lately refused to accede to a request made by a parent that his child should be allowed to work for the Inspector's examination a garment supplied by the parent himself, instead of one supplied by the Chairman of the Board and Vicar of the parish, and that the parent having, in consequence of the above-mentioned decision, withdrawn his child from school during the sewing lesson, was informed that the child would not be received any longer at the school; and whether such refusal is in the power of the Board any in accordance with custom?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The circumstances to which the hon. Member refers are not of very recent date, and the Department have reason to believe that the difficulty is at an end. There was no warrant for the withdrawal of the child, and the action of the parents was accompanied by personal discourtesy to the master; but the Board exceeded their power in prematurely intimating that the child would not be received back, although it would obviously have been the duty of the Department to support them in maintaining discipline against irregular withdrawals, which comes of school work.

VESTRY OF ST. BOTOLPH, BISHOPSGATE.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) if his attention has been called to the following facts: that the Vestry of St. Botolph, Bishopsgate, are entitled by "The Dulwich College Act, 1857," and the new scheme of 1882, to elect six out of 24 in-door pensioners, each entitled to receive £1 per week and residence, or, in lieu of residence, 6s. extra per week; that a vacancy occurred in January, 1889, in their number of in-door pensioners, which the Vestry filled up by electing Widow Jane Barker, of 64, Skinner Street, Bishopsgate; that the Governors of Dulwich College refused to recognise her as an in-door pensioner, but offered to allow her 10s. a week as an outside pensioner; this sum she has taken under protest, claiming the full allowance to which the Vestry consider her entitled; and whether the Charity Commissioners will sanction the payment to this poor person of the allowance which her predecessor received

MR. J. W. LOWTHER (Cumberland, Penrith): The Vestry of St. Botolph, Bishopsgate, are entitled to elect one-fourth out of such number, not exceeding 24, as accommodation is provided for in the almshouses. There is at present only accommodation for 16 almspeople, and in January, 1889, there was no vacancy. Under these circumstances, the election of Jane Barker was invalid. The Charity Commissioners have no power to sanction the payment mentioned except by a new scheme, which they are willing to make upon receipt of a proper application.

IRELAND—ARRESTS AT CLONGOREY.

MR. SEXTON: May I ask the Chief Secretary whether he is aware that at 6 o'clock on Friday morning a number of bailiffs at Clongorey arrested and took out of bed two women, Mrs. Kelly and Mrs. Morris, and the latter's infant, and

that they were conveyed to Dublin, where the woman and child are in prison; by what procedure this conduct is justified, and how long those persons are to remain in prison?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Perhaps the hon. Gentleman will allow my right hon. and learned Friend to answer the question.

MR. MADDEN: I have no official information on the subject. I know that certain arrests have recently been made at Clongorey. If they are the same as those referred to by the hon. Member they are arrests for disobedience to an injunction issued by the County Court Judge at the suit of the landlord, over which the Government have no control. I am not aware that any women have been arrested. If the hon. Gentleman will place a question on the Paper I will make inquiry.

MR. SEXTON: Were the bailiffs justified in refusing to show their warrant, and is the imprisonment to be indefinite?

MR. MADDEN: I do not like to give a hypothetical answer. If the hon. Member will put a question on the Paper I will make inquiry.

BUSINESS OF THE HOUSE.

*CAPTAIN VERNEY: I beg to ask the First Lord of the Treasury whether he intends to take the Tithes Bill after the Second Reading from day to day?

*MR. W. H. SMITH: I hope it will be possible to read the Tithes Bill a second time on Thursday. I shall ask the House afterwards to give what facilities it can for proceeding with the Bill.

MR. J. MORLEY (Newcastle-upon-Tyne): Is the Chancellor of the Exchequer able to say when he intends to make the Financial Statement?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): On Monday, the 14th of April, as at present advised.

PUBLIC LIBRARIES ACTS.

Address for—

"Return showing the names of all Places in England, in Scotland, and in Ireland in which the Public Libraries Acts had been adopted prior to the 25th day of March, 1890, with Tables showing for each Place its Population according to the Census of 1881; the date of adoption; date of opening the Library; date of opening Branches, if any; date of opening Museum and Art Gallery, if any; number of Volumes in Reference Library, in Lending Library, and in Branches on the 25th day of March, 1890; number of Volumes issued in the year ended on that day; average daily attendance in Reading Rooms during that year; Income and Expenditure during that year, distinguishing Income from other sources than Public Rate, if any (in continuation of Parliamentary Paper, No. 106, of Session 1884-5)."—(*Mr. Leng.*)

PUBLIC ACCOUNTS COMMITTEE.

Ordered, That Mr. Lane be discharged from the Committee of Public Accounts.

Ordered, That Mr. Webb be added to the Committee.—(*Mr. Jackson.*)

CONSOLIDATED FUND (No. 1) BILL.

Bill read a second time, and committed for To-morrow, at half-past Three o'clock.

MOTIONS.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.

*(4.20.) MR. A. J. BALFOUR: I rise to move for leave to bring in a Bill to provide further facilities for the purchase of land in Ireland; for the improvement of the condition of the poorer and more congested districts; and for the constitution of a Land Department. I shall have, I am afraid, in the introduction of this Bill, to tax so severely the patience and attention of the House that I shall not waste any unnecessary time in arguing the point as to whether it is or is not a desirable policy to increase the number of occupying owners in Ireland. The truth is that on that question every Party in this House, every statesman of eminence, and the public generally have long made up their minds. Twenty-one years ago, at the time of the disestablishment of the Irish Church, the first practical effort was made to carry out this policy—a policy which was continued by the Act of 1870; it formed part of the special Land League programme of 1879, and it was aimed at by one at least of the clauses of the Act of 1881. I recollect that a Resolution urging the House to give further facilities on the subject was brought forward in 1883 by

my noble Friend, now First Lord of the Admiralty, and was seconded on that occasion by myself, then sitting below the Gangway. That was followed soon after by an abortive attempt at legislation on the part of the right hon. Member for the Bridgeton Division (Sir G. Trevelyan) in 1884. The first Ashbourne Act was passed in 1885; the second Ashbourne Act was passed with general consent in 1889. We have, therefore, opinions expressed by individuals, and sanctioned by Parliament, extending over 20 years in favour of some measure of the kind which I now propose to introduce. I think there are on both sides men who view with some disfavour any policy which might remove from rural social life the landlord class. I myself have great sympathy with their views. I believe that in England and Scotland the landlord class are not only a valuable social element, but that they contribute materially to the well-being of two other classes of the community engaged in the cultivation of the soil. I believe without the landlord class it would not be possible for the labourers through the mere competition of the market to be so well housed, so well paid, or so well provided with allotments; and I do not believe that the farming class would be so prosperous had they been obliged not merely to provide the working capital for farming their land, but to do that which in England and Scotland is done invariably by the landlord, namely, to provide the fixed capital also. But these three functions of the landlord class are fulfilled far less effectually in Ireland than in England It has not been the practice in Ireland for the landlords to supply either permanent improvements or dwellings for agricultural labourers to any large extent, and in regard to those social duties to which I have alluded they have been absolutely deprived in many parts of Ireland by political events, to which I need not further refer, from exercising the beneficial influence in their neighbourhood which is happily exercised by their brethren in England. Well, for this and other reasons it is eminently and specially desirable that we should endeavour to increase the number of occupying owners in Ireland. It is fortunate for us that, difficult as that problem is, it is far easier for two reasons than it would be in the case of England or Scotland. These two reasons are that the price of land in Ireland is, and has been, far lower than in this island. Therefore, it is possible to give far greater advantages to the purchasing tenants than it would be here; and the second reason is that the security of an Irish holding is almost sure to be relatively better than the security of an English or Scotch holding, because it includes not merely what the landlord has to sell to the tenant, but upon the tenant right, which the tenant already possesses; while in England and Scotland, as the landlord is the owner of all the improvements, there is no tenant's interest to serve as a collateral security. With these short preliminary observations, I will come at once to the Bill, premising that if I do not make its provisions clear to hon. Gentlemen it is, in part at least, because we have to deal with a land system the most difficult and complicated in the world. In Ireland, I believe, you have tenures unknown in any other part of the world, for example the cases alluded to in the debate the other night, in which agricultural land is held at a full rent in perpetuity. You have in Ireland cases in which as many as five separate persons are concerned in the ownership of the land, beginning at the bottom with the tenant and ending five removes off with the head landlord. You have a condition of things in which many estates are encumbered almost hopelessly; and as if this was not enough, you have besides the chronic difficulty presented by the congested districts. In explaining the Bill it may be convenient to begin with its last part, namely, the constitution of the Body by whom the measure will be administered. Some members of this House familiar with the present condition of Irish land legislation may be aware that there are no fewer than five Public Bodies at this moment in Ireland concerned with the valuation of land, the sale of land, or the lending of money on land. You have the Landed Estates Court, the Commissioners under the Act of 1881, the Commissioners under the Act of 1885, the Commissioners of Valuation; and, finally, the Board of Works, one of the multifarious duties of which is that of lending on the

security of land money advanced for improvements and of collecting the instalments from the borrowers. We propose in this Bill to amalgamate all those various Departments in one Department, called the Land Department, and to this Body we shall entrust the administration of the Act, employing as its first members those who have so ably fulfilled their respective functions in the various Departments which I have just enumerated. I shall not delay further with that part of the Bill; it will be fully discussed afterwards. It will be enough for the House at this stage to understand that part of our proposal is to effect the amalgamation of the different Bodies which are side by side carrying on without mutual knowledge similar functions, in itself a reform of no small magnitude. Having explained that in a few words, let me now come to the main body and substance of the Act itself. Perhaps I best approach the consideration of this difficult subject by stating the main problems we have to solve, and giving our general solution of them before I attempt to explain the particular method by which that solution is to be carried into effect. The first question, therefore, is, ought the Land Bill to be compulsory? The House is aware from what has been said elsewhere that the answer we give to that question is in the negative. In our opinion, the Land Bill ought not to be compulsory. And I can give reasons to the House, which I think will convince them, that the conclusion we have arrived at is the right conclusion. In the first place, it will be admitted that compulsion should be used very sparingly for any purpose. Nothing but necessity justifies it; though no doubt where necessity exists it should always be applied. In the second place, I think it will be admitted that the compulsion cannot be one-sided. You cannot oblige the landlord to sell without at the same time obliging the tenant to buy. To compel the landlord to sell would in many cases produce a sense of injustice in the landlord; and to compel the tenant to buy might be used by the tenant at a subsequent stage as an excuse for not paying the instalments, the payment of which he could represent himself as having been forced against his will to undertake. The third reason is that, if you have a compulsory sale, you must have a system of compulsory valuation as between buyer and seller, tenant and landlord, and neither one party nor the other will be content to accept the decision of the tribunal you will be obliged to establish. The seller will invariably think that he is made to sell at too low a price, and the buyer that he is made to buy at too high a price. The fourth reason which I give for not making the Bill compulsory is, I think, more conclusive than any of the others. You cannot make the Bill compulsory without making it applicable to all Ireland; and if you are going to do that, you must have funds at your disposal sufficient to buy the whole of the land of Ireland, and there is, in my opinion, no possibility of providing at once for such an enormous transaction as the transfer of the whole of the land of Ireland for the existing owners to the existing occupiers without straining British credit to a degree which neither the House nor the country would tolerate. The second preliminary problem we have to solve is this: ought we or ought we not to throw any risk upon the British taxpayer? On that question I again give the answer, No. I lay down the general principle that it is not only inexpedient but impossible to ask the British taxpayer to risk anything in order to carry out the great object of increasing the occupying owners in Ireland. I think we must all admit, however right or desirable such a course might be in the abstract, at the present stage of the controversy it is impracticable. I cannot suggest—I cannot take upon myself the responsibility of suggesting—any proposal which would throw any burden upon the taxpayers of the country. Well, Sir, the third question which I put to myself is this: Is British credit—by which I mean the power of the British Exchequer to borrow in the market—is that to be used to carry out our object or not? As I have answered the two previous questions in the negative, I must answer this question in the affirmative. I will explain to the House at a later stage how this third condition may be made entirely harmonious with the second condition; but in the meanwhile let me say that without the use of British credit it will be impossible by any system of land purchase to give that immediate advantage to the Irish tenants which they have

hitherto received from the schemes from time to time sanctioned by this House. Neither do I see my way to provide, under such conditions, any fair method of paying the landlord. In the third place, if that is not done, your scheme will be so much waste paper, for, unless you give fair payment to the landlord when he sells, he will refuse to sell; and unless you give some inducement to the tenant to buy, he will refuse to buy, and thus the whole labour of the House in trying to contrive a scheme of land purchase would be thrown away. I pass now to my fourth problem: Are the congested districts to be dealt with in the Bill or are they not? We answer that question in the affirmative. They are to be dealt with. We admit that the congested districts present the most difficult of all the problems connected with Irish land and Irish society. But while they are the most difficult, they are also the most important. If we do not deal with it, we would be guilty of omitting that problem which, of all others, requires to be dealt with. The fifth problem I have to state is this: If the congested districts are to be dealt with, are they to be dealt with precisely in the same way as the rest of Ireland? To that question I answer, No. The congested districts have special difficulties and needs of their own. The Bill, therefore, will require modifications and additions before it can be made appropriate to the treatment of the particular evils under which they suffer. The sixth and last problem which I need mention now is: Are we, in providing advances to the tenants for the purchase of their holdings, to adopt the plan that was adopted in all the earlier schemes—in the Bright Clauses of 1870, in the Land Act of 1880, and in the Bill of the Member for Bridgeton in 1884—namely, that of advancing to the tenant of only a fixed proportion of the price of his holding? We have decided that we will not adopt it It is not adopted in the Ashbourne Act, and we see no reason for adopting it now. But we do adopt another plan. We do not think it necessary to advance towards acquiring any holding more than 20 years' purchase of its net rent. Where it is sold for more than 20 years' purchase, in such cases we think we have done enough in contributing 20 years' purchase towards the total price, and that it is no hardship on tenants who have a tenant-right probably at least equal in value to the property of the landlord to find by other means the additional years' purchase which may be required to buy their holdings. I may, perhaps, with advantage, take this opportunity of explaining the meaning of the expression "net rent"—a term which I shall have to use frequently. It is the more necessary to explain it because we do not use it in the same sense in which the Member for Mid Lothian used it in his Bill in 1886. He there defined net rent as the rent after all the landlord's outgoings were deducted. By net rent we mean the rent from which has been deducted that share of the local rates now paid by the landlord, and which, after purchase, must be paid by the tenant. That is the only deduction we make. I define net rent, therefore, as merely the gross rent *minus* that part of the rates and taxes which hitherto has been paid by the landlord, but will henceforth be paid by the purchasing tenant. Let me take now, for the purpose of illustrating the procedure under our Bill, the case of a holding of which the gross rent is £107 and the net rent £100, and on which there is a year's arrears due to the landlord. The landlord and tenant under our Bill are permitted—indeed, they are encouraged—to meet together and bargain as to what the price of that holding shall be. I will suppose for the sake of argument that they agree that all the holding shall be sold and all debts between the landlord and tenant wiped out for the price of £1,700, which is 17 years' purchase of the net rental. If they fail to agree they may, if they please, but only if they please, refer the question of price to the Land Department. But the Land Department, in fixing this price, of course must not do what the parties might legitimately do in making their own bargain, namely, take into account the year's arrears. The Land Department are instructed in the Bill that in fixing the price they are to consider the value of the holding, or rather the landlord's share of the holding, and this alone; but if the landlord and the tenant wish it they may represent to the Land Department that they agree to add arrears, up to but not beyond two years, to the

price, and the Land Department may if they please sanction the arrangement. In this case we will suppose, in order to carry on my illustration, that instead of agreeing voluntarily to fix the price at £1,700, the parties go to the Land Department; and the Department say, "We think £1,600 is the value of the landlord's interest in the holding, but if you desire that the year's arrears should be added on, you may do so; in that case the advance we are prepared to make towards the purchase of the holding will be £1,700, or 17 years' purchase." The Land Department is in no case to advance for any purchase beyond 20 years; so if you take the case of a farm in which there was an agreement through the Court (as we term it in the Bill) for 20 years' purchase nothing in that case could be added on for arrears. Whether an arrangement is not made through the Court or is made through the Court, the Land Department are bound to satisfy themselves that various conditions are fulfilled before they sanction an advance. I will only mention the most important. They must satisfy themselves that it is a *bonâ fide* transaction, and that there is no collusion between a landlord who, owing to the encumbered condition of his estate, is but a nominal owner and his tenants. They must satisfy themselves that the holding is an adequate security for the advance made upon it; and they must satisfy themselves that not more than 20 years' purchase is to be advanced for it. When they have done all those things the Land Department then at once make a vesting order, and as soon as they have made the vesting order the tenant at once and without further delay becomes owner of his holding, subject only to the annuity charged on it. All arrears and debts to the landlord are wiped out; all head rents are abolished; and the man is made proprietor of a holding to which no pecuniary obligation of any kind is attached except only the necessity of paying the annuity of 4 per cent. upon the money advanced. I think everyone who is practically acquainted with the actual working of the Ashbourne Acts from 1885 to the present day is aware that this plan would constitute an enormous reform of procedure. Under the existing system it is practically necessary, before the sale is completed, to do two things, both of which may involve great delay and great cost. One is the determination of title; the other is the consent of the mortgagees to the retention of the landlord's fifth in the hands of the Land Department; and principally owing to the necessity of going through those operations before the sale is concluded, it is frequently not brought to a final determination, the money paid over, and the relation between landlord and tenant absolutely severed, for one, two, and in some cases three years, after the agreement has been sanctioned. That is not the fault of the able gentlemen who administer the Act of 1885; it is the fault of the system; and we think we shall be able radically to reform it by the provisions of this Bill which I am explaining to the House. By it all the claims which formerly existed in reference to the tenancy are transferred to the money which has been paid for the tenancy; and the landlord's fifth is compulsorily retained without going through the form of asking the consent of the mortgagees. All questions of title are, therefore, deferred until the stage after the tenant has become owner; and I believe that while no injustice can possibly be done in those circumstances to the encumbrancer, the mortgagee, or the landlord, an enormous boon will be conferred on the tenant and every other party to the transaction. Now I come to the question of the annuity which the tenant has to pay. I have told the House that this annuity is at the rate of 4 per cent. on the amount advanced; but, though strictly true, that statement must be further explained and qualified. In the case of the holding that I am considering the price is £1,700, and the annuity at 4 per cent. is therefore £68. We call this the normal annuity, but during the first five years of the purchasing tenant's occupancy we require that he shall pay not the normal annuity but 80 per cent. of his net rent, which is, of course, less than 80 per cent. of the gross rent, though how much less will depend on the particular district in which the holding is situated. In other words, in the particular case I have chosen instead of making him pay £68 for the first five

years we make him pay £80. I think that a great many excellent objects are attained by that provision. In the first place, we think that a reduction from £107 gross to £80 is a large and substantial reduction, of which the tenant will have no reason to complain. In the second place, we think that so large and sharp a reduction as from £107 to £68 may produce, and, we think, will produce, considerable difficulty on adjoining estates where purchase may not have taken place. For recollect what we are doing is this. We are giving to the tenant an immense advantage which the landlord could not, from the nature of the case, give him. The contrast between the position of a tenant who has purchased and a tenant who has not is so sharp, if you give the full reduction all at once, that we think the temptation to put undue pressure on the landlord to induce him to sell, or the discontent which will ensue if he does not sell, are sufficient reasons for making this charge from the rent which the man has paid to his landlord and to the annuity which he will ultimately have to pay to the State as gradual as possible. Although I think those reasons are of themselves of sufficient weight to commend this arrangement to the House, I have yet another reason, to which we attach still greater value. If you consider the particular case presented in my illustration you will see that if a tenant pays £80 for five years he is paying for those five years £12 annually above his normal annuity, which is £68. Five times that difference makes £60; and that £60 we propose to retain as a kind of tenants' insurance against periods of special distress. It is not to be used if the tenant fails to pay his instalments through any act or fault of his own, but only if, in the opinion of the Land Department, failure to pay instalments is due, not to his own act, but to some misfortune for which he is in no sense responsible. In such a case it is in the power of the Land Department to draw upon this insurance fund of £60 should the tenant fall into arrear. If this is done, and if an inroad is thereby made into the Insurance Fund, then it is the duty of the Department to raise the fund to its original amount by again increasing the annuity beyond the normal level. So that, if after the first five years a time of distress comes, and it is found necessary to draw on the Insurance Fund to the extent of £40, the annuity will again have to be raised above £68 until the fund once more reaches the full sum of £60. The House will notice that this scheme of insurance operates most powerfully exactly where it is most wanted. In the worst districts of Ireland the tenant will, of course, pay a smaller number of years' purchase for his holding; I presume in the congested districts 13, 14, or 15 years will not be an uncommon price, or even less, for a certain class of holding. In those cases the amount of the insurance will be very large indeed. If we assume 14 years' purchase to be given for a holding in one of the poor districts of Ireland, the 14 years' normal annuity will be £56, which differs from £80 by £24; so that five times £24 or £120 is put by as the Insurance Fund on that particular holding, which is more than twice the whole normal annuity. In other words, more two years' purchase of the normal annuity is laid aside to protect the tenant from expulsion from his holding on account of non-payment caused by undeserved misfortune. So far the Bill I have been describing is an improved Ashbourne Act, and nothing else. It is improved because it has been made cheaper and more rapid, and because of the establishment of this Tenants' Insurance Fund by which it has been made safer and smoother in the working. Of course, this Insurance Fund is not for ever withheld from the tenant, but in the later years it will be returned to him. If now we turn our thoughts to the consideration of what further securities may be brought forward to protect the State which lends the tenant funds to purchase his holding, I think we may say, speaking broadly, that there are only two plans worthy of consideration. The first takes, as its additional security, funds raised by local and general taxation in Ireland. The second takes funds contributed to Ireland by the Imperial Exchequer. The first is the plan advocated, among others, by Mr. Arnold Forster, who has given great attention to this subject. It also formed the basis of the scheme of the Member for Mid Lothian in 1886, and was part basis of the scheme of the Member for the Bridgeton Division in 1884. The second is the plan

adopted in the Bill. It will be observed that to Ireland the two schemes are exactly the same. So long as the contribution in lieu of default falls upon the Irish community, it matters not to them whether they have got to raise it by local or general taxation, or whether it is raised by withholding from them funds which they would otherwise have received; but though it does not matter to Ireland, it matters seriously to the Exchequer. If you have to depend for your security upon what you get by taxation from Ireland, it is not absolutely impossible to conceive contingencies in which, under even the best contrived system, your security may not be forthcoming. But if the Exchequer is already in possession of full security for its own loan, this cannot be paid away without the consent of Parliament, and therefore, so far as the Imperial Exchequer is concerned, the plan of the Bill is better than the other plan I have mentioned. In selecting what contributions from the Exchequer we should take as security, we have determined to confirm ourselves to those which are given for local purposes; and that carries with it the corollary that only localities will be responsible for default. I think there is a great deal to be said in favour of this course. In the first place, it an open question whether you ought to ask towns like Dublin and Belfast to incur very heavy responsibilities for the conceivable default of agricultural tenants in remote counties; and it is also very much open to doubt whether you ought to ask Antrim to pay a default which might occur in Galway, or to ask Leinster to pay a default which might occur in Munster. We have, therefore, taken as the unit of area the county. Only counties will have to meet a default; and only contributions within a county will be taken as ultimate security that the default will be met. Now, let me describe the method in which the repayment will be secured. In the first place we establish a Guarantee Fund.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Will you state the amount of the fund which will be available?

*MR. A. J. BALFOUR: I will come to that later. We establish, in the first place, a Guarantee Fund, which is to consist of two portions—a cash portion and a contingent portion. The *cash* portion will consist—(1) of a contribution of £40,000 a year, which Ireland has never yet got, but which she has a right to get, as a set off against the advantage which England and Scotland have recently derived from the Licence Duties handed over to those countries; (2) the Probate Duty Grant, which for the future we estimate at £200,000 a year; (3) $\frac{1}{4}$ per cent. on the annuity payable by the tenant, who is expected to pay 4 per cent. That 4 per. cent, let me here observe, is made up in the following manner—$2\frac{3}{4}$ per cent. interest, £1 for Sinking Fund, leaving unappropriated 5s., or the $\frac{1}{4}$ per cent., to which I have just alluded. That $\frac{1}{4}$ per cent. we call the Local Percentage Fund, because, after it has passed through the Guarantee Fund, it will be paid over to the Local Authorities for purposes to be afterwards described. The *contingent* portion will consist of rates on Government property and Imperial contributions for Poor Law, education, and other similar purposes. The total advance authorised in the Bill is not to exceed the capitalised value of those two portions of the Guarantee Fund together, and capitalised 4 per cent. they will, I believe, amount to about £33,000,000. This security is itself complete; but do not let the House suppose that is the only security provided by the Bill. In addition we have three collateral securities — (1) the landlords' one-fifth, which remains, as under the Ashbourne Act, in the hands of the Land Department; (2) the tenants' insurance; and (3) £200,000 of accumulated reserve, the origin of which I will explain. The £40,000 of New Exchequer grant we propose to accumulate for five years, or until it reaches a sum of £200,000. That sum will remain in the hands of the Treasury, and will afterwards be allocated in precisely the same fashion as the £200,000 Probate Duty. This £200,000 Reserve Fund we propose to use for the community in precisely the same way as we use the Tenants' Insurance Fund for the individual—to meet cases of exceptional distress; and when that fund is drawn upon we shall refill it exactly as we refilled the Tenants' Insurance Fund—by stopping the £40,000 until the level of £200,000 is again reached. Now, as I have told the House, we take as final

security for the advance, not merely the cash portion of the Guarantee Fund, which consists of contributions from the Imperial Exchequer, none of which, I may say in passing, have been payable for more than two years; but we also take the contingent portion voted for Poor Law, educational, and other purposes.

MR. J. MORLEY: In what sense is the Contingent Fund local?

*MR. A. J. BALFOUR: It is constituted solely by contributions for local purposes. Take the Education Vote for Ireland. A certain amount is intended for the Central Office and organisation in Dublin. We do not touch that at all; what we propose to do is to take as a possible guarantee the contribution to each county separately, yet though we take it a possible guarantee there is in our opinion no danger of either education or Poor Law being interfered with. Before the contingent portion of the fund is touched the Grand Jury are by compulsory presentment compelled to raise from the locality a tax equal to the amount which it is proposed to withhold. My right hon. Friend the Chancellor of the Exchequer reminds me that the Contingent Fund is not approached until the landlords' fifth is taken, until the tenants' reserve is taken, and until the accumulated reserve is taken, and until, in addition, the whole cash portion of the Guarantee Fund is taken. We may therefore, I think, safely assume that there is no human possibility of this contingent portion of the Guarantee Fund being touched in any conceivable circumstances except a general political strike against the payment of annuities—a contingency which I decline to contemplate. Let me develop the arguments in favour of this position a little further. In the first place, we have experience on our side. Land purchase in Ireland has now been going on for a considerable period. It began in 1869; the number of purchasers was increased in 1870, again in 1880, and very largely increased in 1885 and 1888. Now, the experience of these 20 years—20 years of varying agricultural prosperity, years of political quiet and years of political turmoil, years of plenty and of dearth—the general result is that practically there has been no loss at all on the State advances. I believe if our accounts were carefully made out it would be found that the irrecoverable debts under instalments of all kinds from all purchasers is less than 2 per cent. of the total annual instalments which ought to have been paid. Now, under one Bill you can go as far as an annual loss of 6 per cent. without touching anything at all except the $\frac{1}{4}$ per cent. which we give to the localities. Without touching the landlords' fifth, without touching the Reserve Fund, without touching the cash Guarantee Fund or the Contingent Guarantee Fund, or the tenants' insurance, you can undergo a loss of three times as much as you have undergone, and yet continue to pay interest and Sinking Fund to the Exchequer. I think that that is a strong—indeed, an overwhelming—argument in favour of the safety of our scheme. Now, consider another argument, not this time taken from experience. Let me assume, for the sake of argument, that an advance of £30,000,000 has been made under the Act for the purchase of Irish land, and let me take as the average value at which sales have taken place 17 years' purchase, which I believe is somewhere about the value given under the Ashbourne Act. Very well; instalments at 4 per cent. on an advance of £30,000,000 amounts to £1,200,000 a year; let me suppose that in one year—the hypothesis is an impossibly unfavourable one—not a single sixpence of annuity was paid, what funds would there be at the disposal of the Treasury and of the Land Commission to meet the deficiency? I will tell the House. We shall have, first, the £200,000 Reserve Fund; secondly, there would be the £200,000 annual Probate Grant; and, thirdly, £40,000 of the new Exchequer contribution and £75,000, being the $\frac{1}{4}$ per cent local percentage on £1,200,000, and there would be, besides that, if we accept the hypothesis of 17 years' purchase, £1,118,000 of tenants' reserve; so that, without touching the £5,000,000, which is the landlords' fifth, and without touching a sixpence of the Contingent portion of the Guarantee Fund, you have £1,633,000 to meet a call of £1,200,000 on the extreme and absurd hypothesis of not one sixpence of annuity being paid during the year in question.

MR. SEXTON: Would that be after the five years have passed?

*Mr. A. J. BALFOUR: I believe that is so. The hon. Gentleman has clearly followed my explanation. That can only take place after the five years have passed; but I am assuming that tenants who are allowed to have their holdings at 20 per cent. less than the net fair rent would not be likely to fail to pay up the instalments within that period.

Mr. T. W. RUSSELL (Tyrone, South): Does the right hon. Gentleman contemplate advancing the £30,000,000 all at once?

*Mr. A. J. BALFOUR: No, of course the whole hypothesis is imaginary; I was merely giving an illustration to show how very strong the Exchequer were without going near the contingent portion of the Guarantee Fund, which is the ultimate security. I take a period which is the length of the lease for which hon. Gentlemen opposite now recommend fair rents should be fixed—namely, seven years; I assume that the whole £30,000,000 are advanced at once (which, of course, is impossible), and I assume that the Insurance Funds are all filled up to the brim. You would then have at the disposal of the Treasury £200,000 Reserve Fund; £200,000 annual Probate Grant; £40,000 Exchequer contribution; £1,118,000 Tenants' Insurance Fund, and £75,000, the ¼ per cent.; in all, £1,633,000, to meet the supposed liability of £1,200,000. But that is not all that must happen before you touch this fund. You must assume that tenants who are holding at a sum at least 20 per cent.—probably more, since on the hypothesis of 17 years' purchase it would be at least 32 per cent.—less than the fair annual rent, are prepared to surrender their holdings and be evicted, although besides holding on these favourable terms they would have repaid a not inconsiderable portion of the loan, which would also be sacrificed. You must assume that no new purchasers are ready to come forward and take the farms from which the defaulters have been evicted. You have got to assume that the insurance, amounting to close upon a year's normal annuity, has proved insufficient; you have got to assume that the landlords' fifth is insufficient; that the cash portion of the Reserve Fund of £200,000 is insufficient; and that the cash portion of the Guarantee Fund is insufficient; and, finally, you have got to assume that there has been a strike against the payment of a rate which it was found possible to enforce even in the worse times of 1881-2-3. If any one will take the trouble to go over the whole catalogue of fences which you will have to jump before the guarantee is arrived at, you will see that it never can be arrived at at all. We are here dealing with three degrees of impossibility. It is, in my opinion, absolutely impossible, unless there was a second edition of the great calamity of 1845 and 1846, that the contingent portion of the Guarantee Fund shall ever be approached, and nothing that has occurred in the last 20 years gives the slightest shadow of countenance to such a supposition. The second degree of impossibility is that if the contingent portion of the Guarantee Fund were approached it would be found impossible to raise the local rate, which would prevent loss being sustained either in respect of Poor Law or education. The third degree of impossibility—which I may describe as a demonstrable or mathematical impossibility—is that the Treasury, which not only is precluded from advancing money beyond the capitalised value of the Guarantee Fund, but which has also, in addition, the collateral guarantees of which I have already spoken, should in any conceivable circumstances be one penny the worse. I hope I made these deductions clear to the House. Some of these points may be open to argument, though I think not: but that it is mathematically impossible for the Treasury to suffer, this is not open to argument. Now, Mr. Speaker, before going into that part of the Bill which deals with the congested districts, I ought to make one or two supplementary explanations. In the first place, I ought to say that, while the total advance to Ireland generally is limited by the capitalised value of the Imperial contribution for local purposes, so the advance to each county is limited by the capitalised value of the advances to each county. The second explanation is that selling landlords are to be repaid in Government Stock, bearing 2¾ per cent. interest, for 30 years. This part of the Bill will be explained more fully by my right hon. Friend the Chancellor of the Exchequer; but he tells me that, in his opinion, that Stock is at least as good as

Consols, and if any landlord is foolish enough to take a different view, there is a provision in the Bill which obliges the National Debt Commissioners to exchange Consols for the guaranteed Land Stock should the owner so desire. The third supplementary explanation I ought to give is that where the Land Department are of opinion that a better security would be obtained by making the landlord deposit less than one fifth of the purchase-money on consideration of making his deposit available not merely for the particular holding in respect of which it was deposited, but every holding on the estate, they are at liberty to adopt that plan. The third supplementary point to which I have to call attention is that we have introduced a clause into the Bill which I hope will do something to settle the difficult question of turbary. At this moment the claims of tenants to turbary are habitually settled by the landlords or their agents. We remove the landlord and the agent, and it therefore appears to be absolutely necessary that the Land Department should step into their place, and for this we give them the requisite powers. There is also a clause which attempts to carry out the plan which I ventured to adumbrate to the House last Wednesday with regard to leaseholders whose leases are for more than 99 years. There is another clause which will enable Irish landlords who desire to sell to invest the proceeds of sale in securities paying a larger interest than their settlements would enable them to do. We do that in order to facilitate purchase, because all my information goes to show that one of the obstacles which sale has to encounter is that selling landlords are compelled by their settlements to invest in securities not bearing more than 3 or 4 per cent. interest. Now, of course, we do not wish to put any obstacle in the way of landlords selling. Irish land may, I suppose, be considered, generally speaking, to be an investment which bears interest of not less than 5, and sometimes 6 or 7 per cent. We have framed a clause which, without endangering the interests of the remainderman, will, we think, enable Irish landlords to sell without so great a diminution of their income as they would have to undergo without that clause. One word about the question of local percentage. The local percentage, the House recollects, is the 5s. which is still to spare after interest and sinking fund has been provided out of the 4 per cent. annuity to be paid by the tenants. That 5s. per cent. we propose should be given to the localities, and we have introduced a clause which will have, I hope, the effect of causing the localities to which the produce of that 5s. is given to employ it in the first instance in the erection of labourers' cottages under the Labourers' Cottages Act, should labourers' cottages be required in the unions of the counties to which the 5s. is given. Many Acts have been passed for the benefit of the Irish tenants. I believe this is a method by which something material may be done for the housing of the Irish labourers, not only without increasing the burdens of the locality, but by relieving them of some of the burdens which, under existing Acts, they are, perhaps, bound to impose upon themselves. The only other remark I have to make before going to the congested district portion of the Bill is that I further propose that, unless Parliament should otherwise direct, when the £33,000,000 under this Act is exhausted, the repayments of that £33,000,000, as well as the repayments of the £10,000,000 under the Ashbourne Act, shall be re-advanced, so that there will be a perpetual fund from which future purchases by tenants may be effected. That cannot come into operation without the sanction of Parliament; but I believe that by that time it will have been conclusively proved by experience that these re-advances can be safely made. I hope, therefore, we have established not only a very large scheme of immediate purchase, but provided a permanent scheme by which further land purchase may be effected. I am not sure whether I mentioned it; but I will do so now, that the annuity payable by the tenant of 4 per cent. is for 49 years, as it is under the Ashbourne Act. Now I pass to the portion of the Bill which deals specially with congested districts. I am aware that many of those most interested in ameliorating the condition of the congested districts are of opinion that a system of land purchase is the very worst possible way of effecting that object. These particular observers have

held that to enable tenants in congested districts to purchase would have the effect of what is called "rooting them in the soil." Though I admit that the question is not free from difficulty or doubt, I have distinctly come to the opinion—and I am glad to be supported in that opinion by a man whose authority no one will dispute, Mr. Tuke, that purchase will not have the effect which these particular critics of land purchase schemes seem to think. After all, if rooting these people in the soil be an evil, the evil is done already. The whole object of the Act of 1870—I do not say an illegitimate object—and of the Act of 1881 was to root the tenants in the soil. Even before those Acts came into operation, and when in theory, the landlord had absolute power to evict if he pleased every tenant on his estate, it must be admitted that nothing was done by the landlords, so far as I know, in these congested districts to diminish the pressure of population on their estates. If that be so, I do not see why sales should not be as useful in congested districts as elsewhere—why it should not have the same healing effect upon those social diseases connected with the Irish land system, which are the curse and the plague of Ireland. I am not at all disposed to think that the fact that a man is the owner of his holding, free to stay or go as he pleases, may not prove an aid rather than a hindrance, if he feels moved to seek under more favourable conditions that livelihood which he has to struggle so hard to obtain in the bleak districts of the West of Ireland. But while I think we ought not to withhold the privileges of purchase from the congested districts, there are difficulties in applying to those districts the whole Bill without modification. Two difficulties I may mention which we have attempted to meet, but which personally I regard rather as sentimental than substantial. The first of these difficulties is this: Under the general provisions of our Bill the area of charge in case of default is the county, and in those counties where a large proportion of the area is congested, and where it may therefore be thought that the security is less good, it might seem hard on the uncongested portion of the county to render it liable for payment in consequence of default in the congested part of the county. In order to meet that difficulty we adopt the following plan:—We take the definition of a congested area found in the Arrears Act of 1882, as marked out by the Lord Lieutenant and the Local Government Board, and in every case where the area so marked exceeds 25 per cent. of the size of the county in which it is situated we constitute it a separate county for the purpose of this Act. These congested counties, of course, are neither liable to be called on to pay the debts of other counties; nor can other counties be called on to liquidate the debts which congested counties have contracted. The second difficulty is the fear lest the interests of education should be trenched upon by the general provisions of the Bill. Though I hope I have convinced the House that that is quite illusory as regards Ireland as a whole, it may be said that, as regards the congested districts where the security is less, that danger is real and substantial. In order to meet that objection we have withdrawn the Education Vote of these districts from the Contingent portion of their Guarantee Fund, and we have substituted for it £1,500,000 from the Church surplus. I have told the House at great length why I regard these difficulties as illusory as regards Ireland generally; let me very shortly say why I regard them as not less illusory in the congested districts. The Tenants' Insurance Fund, as the House will recollect, increases in magnitude as the price of the holdings which contribute to it diminishes. Now, I presume that in the congested districts I have just marked out, the price of a holding will not, on the average, be more than 14 years' purchase: I daresay it will be less in some cases. Let us assume for the sake of argument that it is 14 years' purchase; the amount the tenant will pay during the first five years will be £80; his normal annuity will be £56. In five years, therefore, the tenant's insurance will amount to £120, which is more than two years' purchase of his whole annuity. If we take the price in these very poor districts at 13 years' purchase, then the normal annuity will be £50, and the amount accumulated in the five years will be £140, which is nearly three years' purchase of the annuity. My belief is that no distress which has occurred since the

famine, or which is likely to occur in future, will put a strain upon this Insurance Fund which it will not be able to bear, supplemented as it is by the landlords' contribution and by cash from the Guarantee Fund. I have now explained the modifications in the general land purchase scheme which are required to meet the peculiar circumstances of the congested districts, and so far the administration of the congested districts, for purposes of land purchase, will, of course, be in the same hands as that of the rest of Ireland, namely, in the hands of the Land Department. But, after all, the Land Department is a Department that is strictly tied up by administrative and judicial rules, and it is not fitted, nor could it fairly be required, to undertake duties which demand more elastic treatment. For those purposes, therefore, which I may describe as the philanthropic portions of the Bill, I think we want somewhat different machinery, and that different machinery will be found in the Congested Districts Board which it is proposed to establish under this Bill. This Board will consist of the Chief Secretary for the time being, or (in his absence) of the Under Secretary, of a Member of the Land Department, and, in so far as it deals with fishery questions, of a member of the Fishery Board. These will be the official Members of the Board; but I do not propose that they should be in a majority, and I intend that four or five other persons shall be asked to serve on the Board, persons who, though divorced from active participation in Party politics, will yet command the approval and respect of the people of the districts whose interests it is intended they should serve. Of course, long before the discussions on this Bill reach their termination I shall be prepared to state what unofficial names I propose to add to the official names which I have already given to the House. I propose that this Congested Districts Board should have at its command a contribution from the Church surplus and also the Irish Reproductive and Sea Coast Fisheries Fund; but they will not be allowed to use the Reproductive Fund in other counties than those to which it is already allocated by Act of Parliament. Now let me shortly explain what are the duties which we propose to impose upon the Board. We propose, first, that it should deal with the special and characteristic disease of the congested districts. We propose that it shall have special duties thrown upon it in connection with the amalgamation of holdings. One of the difficulties of amalgamating holdings in congested districts is that the value of one holding made out of two holdings may not equal the value of these two holdings taken separately. Part of the value of a holding in these congested districts is the residence, and the privilege which residence gives. That, of course, is lost entirely in every case of amalgamation. Therefore, there cannot be amalgamation on a large scale in congested districts unless you are prepared to bear from some source or other the loss which inevitably falls on the purchaser or the seller when a holding in a congested district is sold and incorporated with another. This loss, which will amount to the occupation value of the house, we propose should be borne by the Congested Districts Board. We propose that when a tenant leaves or sells his holding it shall be in the power of the Board to pay him the value of the house on the holding if the holding is given up to a neighbouring or adjacent tenant who, in the nature of things, will have no use for the house. We propose, further, that the Board should have power to give special aid to tenants in congested districts who are prepared either to migrate or emigrate, on condition, of course, that their holdings are sold to tenants in the neighbourhood—and we think that when a tenant has bought under this Act and wishes to part with his holding he should be obliged to part with it either to a neighbouring tenant or purchaser, or to the Land Department, which will, of course, be obliged to give him the full market value of his tenancy. If a holding comes into the possession of the Land Department under those circumstances, it will be the duty of the Department, under the direction of the Congested Districts Board, to sell it, either in whole or part, to a neighbouring tenant. Then we propose that the Board shall have very general powers of aiding schemes of migration and emigration. This part of the Bill is drawn in very wide terms, and I trust that under it the Board may be able to frame some scheme, in

furtherance of these objects, which will be free from any taint of pauperism, and which will commend itself to the good sense of the inhabitants of the congested districts. The second branch of what I may call the Board's philanthropic duties I may describe as industrial. We give them power in the Bill to sell for ready money, and for ready money only, seed potatoes of the proper quality to tenants at cost price. They may not make a profit by the transaction, neither may they themselves give in charity; but they may receive donations or gifts from charitable persons and use them as they think fit. I may say, parenthetically, that I am trying on my own account a small experiment of this kind on the coast of Donegal, and that I hope something may be learnt from it. The next business which the Board are permitted or directed to undertake is investigation into the localisation of fishing stations on the coast of Ireland. At present we are strangely ignorant with respect to the fishing resources of Ireland. The Chancellor of the Exchequer has been good enough to furnish me with funds which, with the assistance of the Royal Dublin Society, will, I hope, enable me to begin at once making investigations into the fishing resources of the Irish coast But the Board which we hope to constitute under this Act is clearly the right Body to carry out works of this description, and they may, if they think fit, give instruction in fish-curing and aid in the improvement of stock and poultry, and they may promote local and other industries. I have now, I fear, exhausted the patience of the House, as I have my own strength. I hope I have made clear the main outlines of a measure which, at any rate, is long and complicated, if I may not describe it as great. It embraces a reform and re-constitution of all the Public Bodies that have to do with land in Ireland. To the congested districts, taken in connection with the Light Railways Bill of last year, it affords a measure of relief compared with which any other measure of relief ever given to those districts sinks into insignificance, and it gives this relief in a form in which too much of the relief has not been given—it gives it in a form which will not pauperise or demoralise those who receive it. To the tenants throughout Ireland, including the congested districts, it will give generous and substantial aid towards making them owners of the holdings they occupy. To this country it will give the repose which every approach to a settlement of the vexed and thorny question of the land in Ireland must foster; and that great end will be gained without any conceivable risk to the taxpayer. For no inclemency of Irish skies and, as far as I can see, no mutations of Irish politics can compel us through this Bill, whilst we are conferring a great boon upon the Irish tenant, to add one sixpence to the burdens of the Imperial Exchequer.

(6.0.) MR. W. E. GLADSTONE: I need hardly say that I do not rise for the purpose of delivering judgment upon the measure which has just been submitted to us. It is only fair to say that that measure is beyond all question a comprehensive measure, and that its preparation has evidently been the subject of great care and patience. It is a very large measure, and it imposes a very large liability on the taxpayers of this country, although the right hon. Gentleman has explained the elaborate provisions by which he proposes to secure that that liability shall not entail risk of actual cost. The right hon. Gentleman has laid before us a set of financial proposals which I think, taken altogether, are as complicated, perhaps more complicated, than those of any other scheme that I have ever known submitted to the House; and if in any quarter there has been any deficiency in obtaining a perfectly clear apprehension of their nature and effect, it is only just to the right hon. Gentleman to say that that failure is in no degree ascribable to any want either of ability or painstaking on his part. But it is obvious, independently of the difficulty of the proposals, that no judgment can be formed upon them, grave as they are and important as are the principles they involve, without having an opportunity of considering them carefully and deliberately in their bearings upon one another, as well as upon all the interests concerned. The right hon. Gentleman and the Government will feel that it is most material that the House should have every assistance that can be lent them in arriving at that clear comprehension; and, therefore, I shall express my con-

fidence, in the first place, in a general form, and then I will specify one or two particulars—confidence that the Government will give us in a documentary shape all statements which may be material for the elucidation of the case and which can be conveniently presented in that form. Now, Sir, the House will, of course, examine with great care and some jealousy—naturally with some jealousy—the provisions which are intended to prevent the possibility, or more than possibility, the probability, of recourse to that which the right hon. Gentleman has called the credit part of the Guarantee Fund.—[Mr. A. J. BALFOUR: Contingent]—the contingent part of the Guarantee Fund. Consequently, I hope that he will exhibit to us in a written shape all the resources which form part of the cash portion of the Guarantee Fund, and likewise the other assets which are available, to prevent any possibility of having to fall back upon the credit portion of the Fund; because the House will feel that, supposing these intermediate resources to fail, we arrive at a very delicate ground, a very tender ground, indeed, and one which it may be very difficult in any circumstances to occupy, when the question arises as to an interference with the provisions made for the maintenance of local schools, the payment of poor rate, or any other essential local purposes. Therefore, I hope the right hon. Gentleman will show us in the clearest possible shape what are the resources which stand between us and a contingency of that kind. Again, I hope we shall have presented to us, what it is to the public interest and to that of the right hon. Gentleman to place in our hands as the prop of the present proposal, a clear account of the payments in arrear under advances already made, with respect to which he has made a Report which has the appearance of being of a very satisfactory character. The right hon. Gentleman gave us to understand that in the contemplation of the Government the sums which he now proposes to render available for the purchase of Irish land—33 or 35 millions——

*MR. A. J. BALFOUR: I do not pledge myself to the exact figure.

MR. W. E. GLADSTONE: Thirty-three millions in round numbers, together with the ten millions already advanced, shall be constituted a sort of circulating fund, so that there may be, to the extent to which the fund applies, a continually recurring provision, for the purpose of meeting further transactions. I believe that the right hon. Gentleman said that the main issue of these moneys, under the idea of a circulating fund, was to be subject to the assent of Parliament. [Mr. A. J. BALFOUR nodded.] That I was not quite clear about. The right hon. Gentleman has proposed bold—and I think courage is a material part, a necessary instrument, of good legislation on this subject—he has proposed very bold, and, as might have been expected, very complicated provisions with respect to the congested districts. Some of those provisions, I apprehend, will raise very considerable differences of opinion. But he has looked the whole question in the face, and has done what in him lay to encounter its difficulties. One question of a financial character I wish to put. He expects that towards meeting the demands of these districts he will be able to command a fund of 1½ millions from the residue of the Church surplus. Well, Sir, I do not intend to express on that subject any hardened scepticism. I know that the resources of the Church surplus, which were estimated by me in 1869 upon a very moderate basis, have proved to be very much more considerable than was at that time anticipated. At the same time, the last time I heard officially anything about the Church surplus it was that it had arrived at a state of exhaustion. I am very glad, indeed, if it has revived. The right hon. Gentleman may be able to present to us figures in support of the statement which he has made. I do not wish to express disbelief or mistrust with regard to it. I know the surplus has done much better than was expected; and we shall be very glad indeed, apart from any committal of our judgment on this question, if it is still likely to yield considerable resources available for the benefit of Ireland, and for the benefit of Ireland at what we may call its weakest point. With regard to the amalgamation of holdings in the congested districts, I wish to know whether I understand the right hon. Gentleman rightly. I presume he would not prevent his Board from voluntary amalgamations where voluntary amalgamations might be practicable. It may

be also compulsory in certain circumstances. But, if I understood him, those compulsory amalgamations are confined to cases where the State, through the Government, has been already put in motion by a transaction of purchase. [Mr. A. J. BALFOUR was understood to assent.] If that is so, it is very material that it should be understood. The right hon. Gentleman has met, in a very candid spirit, the two or three suggestions which I have ventured to make, and I will go no further in troubling him, after the arduous efforts he has made in the exposition of this most difficult subject. I thank him for the great pains he has taken. I do not disguise the gravity of the issue raised in a Bill of this kind. The right hon. Gentleman will recollect, as I have good reason to recollect, what took place in 1886. While retaining an absolute liberty of judgment, I will say that the provisions of a Bill of this kind, so far as public duty will permit, are entitled to be reviewed by us in a comprehensive spirit, and, so far as possible, to be severed from all those controversies of Party to which we in this House are accustomed.

Bill to provide further facilities for the purchase of land in Ireland; for the improvement of the condition of the poorer and more congested districts; for the constitution of a Land Department; and for other purposes connected therewith, ordered to be brought in by Mr. Arthur Balfour, Mr. Chancellor of the Exchequer, and Mr. Attorney General for Ireland.

Bill presented, and read first time [Bill 199], and ordered for Second Reading on April 14.

MR. W. E. GLADSTONE: Is it intended to take the Second Reading on that day?

*MR. W. H. SMITH: We set it down *pro formâ*, but have no expectation of taking it on that day, for that day is fixed for the Budget statement.

MR. SEXTON: When will the Bill be circulated and printed?

*MR. A. J. BALFOUR: This week, certainly. I hope by Thursday next.

ORDERS OF THE DAY.

ALLOTMENTS ACT (1887) AMENDMENT BILL,—(No. 147.)

SECOND READING.

Order for Second Reading read.

*(6.12.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): In asking the House to give a favourable consideration to this Bill, I wish to say that the Government have not introduced it because in their opinion the original Act has worked at all badly. It has been assumed by several critics that the Allotments Act has not fulfilled the expectation of its authors, because its compulsory clauses have not been put in force. In the discussion on the Amendment of the Member for Halifax to the Address, one of the speakers said that the Act had failed because these clauses had not been used. Not only do we not admit that argument as sound, but I absolutely and entirely deny the statement. It was right and proper that the compulsory clauses should have been introduced into the original Act, and I do not say that without those compulsory clauses the Act would have been successful, but it was far from our belief, or indeed our desire, that allotments under the Act should be obtained by the machinery of the compulsory clauses. In fact, those who remember the debate that took place on the Second Reading, will remember that it was stated on behalf of the Government, again and again, that our desire was that allotments should be provided by means of voluntary action, and our reason was this, that the good feeling that exists, and should exist, between labourers and landlords, would continue, and be promoted by means of voluntary action between the parties, and I do not think that that good feeling would be properly maintained or promoted if it were necessary that allotments should be provided under compulsion. Now, it must be remembered that the Allotments Act of 1887 was by no means the beginning of the provision of allotments. The system of providing allotments by voluntary arrangements existed to a remarkable degree in all parts of the country at the time of the passing of that Act, and the Act was intended to promote that system which already existed. It has been said that no action has been taken by the Local Authorities so far as the compulsory clauses of this Act are concerned, but it will not be denied that since the passing of that Act, a very large number of allotments have been provided, either by means of voluntary arrangements between

the labourer and the landowner, or between the Sanitary Authority and the landowner. Still it must, on the other hand, be admitted that, successful as has been the Act in this respect, there have been instances in which the Sanitary Authorities have not met the demand made on them by labourers in particular districts, and we know that some people who do not desire that the Government should receive the credit of this legislation, are glad to seize hold of these hard cases with a view to showing that the Act has not had due operation. It is with a view of providing some means by which these hard cases may be met, and this unsatisfactory decision of a Local Authority revised, that we seek to institute the appeal set out in this Bill. When the Act was passed County Councils were not in existence, and if we had set up a Court of Appeal we should have had to set up a Central Authority, the Local Government Board. I am satisfied that in a matter of this kind, whatever there may be said about there being a Court of Appeal in the Local Government Board upon other matters—I am satisfied that the Local Government Board or any other Central Authority would be unsuited to be a Court of Appeal, and would be totally unable to act as such. But now that we have set up County Councill it seems to me they are, essentially, the proper body with whom an appeal should lie. They are elected on a broad franchise which we know the Sanitary Authority is not. We have never pretended that we were entirely satisfied with the constitution of such a body for such a work, but they were the only Local Authority which had the power to act. We had hoped that at no distant date properly elected Councils would be set up and that these would prove to hon. Gentlemen a more acceptable Authority. But we propose, under the Bill, to give an appeal to County Councils. It will be observed that in the Bill we propose that an application should be made to the County Council by six persons qualified to make the representation in the first place if the Sanitary Authority has failed to provide allotments under the Act where allotments are required. The County Council may then hold an inquiry, being satisfied that allotments ought to be provided, and may instruct the Local Authority to put the Act into execution. Certain times are laid down in the Bill within which the Local Authority must take action in order to provide the allotments which the County Council have declared to be necessary. It has been represented to me, however, that after the inquiry of the County Council there may be much delay owing to correspondence and negotiations between the County Council and the Sanitary Authority. I have realised the force of this objection, and therefore I shall propose in Committee to introduce Amendments which will have the effect of obviating all such delay. The Bill, as I propose to amend it, will provide that the parties aggrieved shall make a representation to the County Council, that the County Council shall appoint a committee *ad hoc* to hold the inquiry, and that if that Committee is satisfied that allotments are required, which the Sanitary Authorities will not provide, then that the powers of the Sanitary Authorities shall pass to the County Council, which shall have power to direct such allotments as are necessary. I hope the House will see by this Amendment we propose that we are anxious to make this a really workable and useful Bill. I do not think the Local Authority can feel aggrieved under any circumstances, for the application will have been made to them, and the County Council inquiry will have shown that the Local Authority failed to do that which the Act called on them to do. The plan we propose will avoid the delay that might otherwise occur owing to friction between the County Council and the Sanitary Authority, for it would not be reasonable to suppose, human nature being as it is, that the latter, when overruled by the former, would be very eager to carry out the directions they received. I desire, in conclusion, to make an appeal to the House to allow this Bill to become law as soon as possible, having regard to the fact that, whatever opinions may be held with regard to the provisions of the original Act, this proposed Amendment will facilitate its operations.

Motion made, and Question proposed, "That the Bill be now read a second time."

(6.27.) SIR WALTER FOSTER (Derby, Ilkeston): The Motion of the right hon. Gentleman is one which I receive with a

considerable amount of regret—regret because I look on this as a wasted opportunity on the part of the Government. They passed an Allotments Act in the year 1887, which has not proved satisfactory to the agricultural population of the country, and I had hoped, when the announcement was made that an Amendment Bill was to be introduced this year, that an opportunity would have been taken of trying to meet the bitter cry of the agricultural labourers for land to enable them to supplement their scanty incomes. The present policy of the Government is practically a confession of the failure of the Act of 1887. The Act has failed, or they would not want to amend it; and there is practically a second confession of failure in the speech of the right hon. Gentleman the President of the Local Government Board, for he has given an indication of Amendments to this Amending Bill. In order to understand what we want in the way of Amendment to the Allotments Act we should consider for a moment how that Act has failed. In the first place, it has failed because, contrary to the advice tendered from this side of the House, the working of it was placed in the hands of authorities who will not exercise their power. The Boards of Guardians, we told the Government, were about the worst authorities in the kingdom to work the Allotments Act for the benefit of agricultural labourers, and the experience we have had of the measure has proved the truth of those words up to the hilt. The whole tendency of events has been to show the unwillingness of Boards of Guardians to come to the rescue of agricultural labourers. The object of this Bill is to give an appeal to the County Councils in regard to the work which the Boards of Guardians have failed to do. But the logical sequence, it seems to me, would be to alter the character of the initial authority; and until that is done, I do not think we can have a satisfactory working of the Allotments Act. We ought to have an authority who can be directly called upon by the agricultural labourers—a body responsible to the rural distircts, and representative, such as a Parish or District Council. The right hon. Gentleman the President of the Local Government Board and his Colleagues have put back that necessary and very salutary reform, but until we have this body, we shall find no authority who will work the Allotments Act as it ought to be worked. The difficulty in working the Act arises, in the first place, from the fact that it is necessary to get six inhabitants of a rural district, six ratepayers or electors, to move in the matter. That is a difficulty at the outset, and the burden imposed on six ratepayers by the original Act is also contained in the amending Bill. In some districts the ratepayers are unwilling to come forward. One man wrote to me soon after the Act of 1887 was passed, and said—

> "In this place and a few villages around, the labourers are getting only 10s. a week, and have not a yard of ground. What I do, I shall have to do under cover, else out I go."

That is the feeling the agricultural labourers have as to taking the first step with the Boards of Guardians. In North Buckinghamshire we have the same cry. The labourers say the Rural Sanitary Authorities are against us, and the "six electors or ratepayers who petition the Rural Sanitary Authority are necessarily bold men. In the present state of the labour market one man or another is of no moment to the farmer, the *disaffected* have to go." The cry is the same in the Midland Counties, and the consequence is that in scores of cases, where the demand is as great as ever, no application is made because the men are afraid to move. Another reason why the Act does not work is the enormous amount of time it takes to put it into operation. In Twyford, in North Bucks, one of the many insanitary villages in England, the labourers endeavoured, in October, 1887, to get some land for allotments, and their application was supported by the vicar of the parish. The endeavour to obtain voluntary allotments failed, and on January 5, 1889, or 15 months after the original application, the Local Authority passed, by a majority of two, a resolution in favour of compulsorily acquiring the land. The President of the Local Government Board, to his credit, exercised some pressure upon them; but in August the Local Authority, by a majority of one, rescinded their resolution to proceed by compulsory purchase and the thing was thrown back. An election came on, and hon. Gentlemen

opposite said, "Oh, we will amend the Act; it does not work." The men had waited two years without any sign until then, when they were told that the Rector of Lincoln College, Oxford, would give them allotments voluntarily. But the moment they came to close quarters the whole thing disappeared. A sum of £800 was asked for the land, which was an enormous price. The Local Authorities thought that the outside price they ought to be asked to pay was £600. Thus it is found when the Local Authority comes to purchase that they have to give such a heavy price that it will not pay the agricultural labourer to take it off their hands to cultivate it himself. That is one illustration of the slow methods by which the original Act, that the present Act is to amend, proceeds on its way. But there was a similar case in the village of Brailes, in Warwickshire. There also is a very earnest desire on the part of the labourers to get allotments; they have been paying £6 an acre for land similar to that which in farms is let for £2, and though they have been calling for allotments for two years, the Local Authority has not succeeded in getting land to satisfy them. There was another case at Axbridge, where the question of calling in the aid of the County Council was considered at a meeting of the Local Authority. A clergyman, a member of the Board said at that meeting that it would take two or three years before the County Council could be brought into action, and another member of the Board said he did not wonder that the Radicals called the Act a sham. Well, it has been so called in this House, and I think as regards the starving agricultural labourers, they have very little doubt that it is a sham. The clerk at the meeting of the Local Authority at Axbridge expressed the hope that the Authority would consider the expense, and the Board finally came to the conclusion that as it would take more than £4 10s per acre to cover the expenses, it would not pay to give the labourers the land. This excessive cost is due to the complicated machinery of the Act. In my own constituency, at Long Eaton, with a Local Board anxious to carry out the Act, the people there have only obtained land after 15 or 16 months' struggling, and have obtained it on such conditions of compensation to the previous occupant that the rent is far higher than it ought to be or than it would have been under an Act that worked easily. This illustrates how slow and cumbersome is the movement of the original Act. I now come to another point, cases in which the land was obtained by agreement, purchased by agreement under the Act of which several instances have been mentioned by the right hon. Gentleman (Mr. Ritchie).

*MR. RITCHIE: I did not go into that point at all. I said that many allotments had been obtained, some by voluntary arrangement and others by arrangement between the Local Authority and the landowner.

*SIR W. FOSTER: I quite understand that, and I asked questions in the House last year on the subject. I am aware that there were five cases of the purchase of land by agreement between the Local Sanitary Authority and landowners under the Act.

*MR. RITCHIE: I repeatedly stated in this House, again and again, in answer to those questions, that where a voluntary arrangement was made it did not go before the Local Sanitary Authority at all, and that it was only when the Local Board had authority to borrow money for the purchase of land that it came before the Local Government Board.

*SIR W. FOSTER: I quite understand that. I am driving at that point. I know that the right hon. Gentleman has no records of the allotments given over by the owners at the request of the Local Sanitary Authorities. He has been asked again and again to give the House the numbers of these, and he has always declared his inability to do so. But what I am referring to is this, that in certain cases by voluntary arrangement between the Local Sanitary Authority and the owner, land has been purchased and a loan obtained with the sanction of the Local Government Board. Up to last year there were five of such cases, and probably there has been one other since. That has been the result of the purchase of land, over the whole of broad England, to benefit the labourers under this Act. Now, what has been the upshot of the purchase of that land? In one case, at Cricklade, 12 acres of land have been purchased for £1,350, and in another case, at Croydon, 10 acres, of which eight acres are available for allot-

ments, have been purchased for £2,850. At Holbeach Union 14 acres of land were purchased for £950; at Market Bosworth 41 acres of land were purchased at £2,200, and in the Holbeach Sanitary district £750 was paid for the purchase of some 11 acres of land for allotments, so that the whole 89 acres were bought at the rate of about £90 an acre on the average, and that was to be let to agricultural labourers at a rent at which they had to make it pay for themselves and their families! In the Market Bosworth Union, land was purchased at a place called Ibstock, by the Local Sanitary Board, by means of a loan allowed by the Local Government Board, and 40 acres were got for the people of that district. But we find that in that particular place there were no less than 256 people wanting land, and the Local Authority, with the sanction of the Local Government Board, was enabled only to make 138 allotments for the 256 people who applied, and that division of 40 acres resulted in each person getting about one-third of an acre. That is a very unsatisfactory result, even where the land has been purchased at a comparatively moderate price. Let us take another case of a similar kind, at Whaplode. The people there made a strong representation, and the Local Authority was willing to buy land for them. Now, I am taking the case as samples of the success of the Act. Well, what occurred at Whaplode? The labourers proposed to pay £3 10s. an acre, inclusive of rates and taxes. The Sanitary Board got land at £67 an acre, but when they came to the labourers, the former offer of £3 10s. an acre was ignored, and the labourers were asked to pay £4 10s. instead—£1 more than their offer. That rent was enough to break the back of an agricultural labourer, and to break the heart of many a man who had been looking forward to the Act as a means of bettering the condition of his wife and children. What was the result? The labourers declared that they could not take the land, and the Rural Sanitary Authority found themselves in the position of having bought land which the labourers were unwilling to take. That is another illustration of how the Act fails to satisfy the legitimate expectations of those poor men who want to add to their weekly earnings. These cases, I think, illustrate the failure of the Act, even in the direction where purchase by agreement has been arrived at. It has been said by the right hon. Gentleman opposite that the benefits of the Act are very large, and that it has been of great advantage to the agricultural labourers, because it has compelled the landlords to offer land voluntarily. I do not think that the Act has had any effect on the landlords. I believe that a large number of landowners have provided allotments since the passing of the Act, but they have not done so in consequence of the Act, which is nothing more than a *brutum fulmen* that is incapable of frightening anybody. The landlords have done so because they are awakening to the importance of the agitation for, and to the necessity of providing, allotments. They recognise it as part of their duty as landowners to give the people working on their estates the opportunity of earning a little money by letting them have a little land for themselves. Certain County Councils throughout the country have reported on this subject, and they do not support the contention of the right hon. Gentleman as to the great number of allotments which have come into use during the working of the Act. The Cambridgeshire County Council, which, from what I know of its constitution, is not likely to err in favour of the labourers, has made an inquiry, and, out of 33 divisions of the county, has obtained Returns from 26. Only in 14 of the divisions were the allotments found to be sufficient; and in two of these divisions the allotments were recently created. In 12 divisions the allotments were admittedly insufficient; and two Local Sanitary Authorities had refused the prayer of the labourers to put the Act into operation. In Leicester the County Council report that 309 applications have been made for allotments, but only 141 have been granted. In Suffolk a Committee of the County Council presided over by the hon. Member for Sudbury (Mr. Quilter), made an inquiry and found that the allotments in 1887, before the passing of the Act, amounted to 5,628; whilst in 1889 the number was only 6,413. In 2,215 cases it was reported that cottages were without gardens. And yet hon. hon. Gentlemen boast that the Act gives labourers the opportunity of securing land wherever they want it.

I think the figures I have given are sufficient to show their boasts are unjustifiable. The effect of the Act on the agricultural population has been extremely disappointing. I have held conferences, in connection with the Allotments Association, with the labourers in different parts of the country, and they have expressed only one opinion as to the difficulty, almost the impossibility, of getting land from the owners or the Rural Sanitary Authority under the Act. They unite in declaring that the Act has been of no value to them. The great mass of the agricultural labourers do not want allotments by voluntary arrangement with the landlords. They want to be independent. Many a poor man receives notice to quit from his allotment and his home if he does not vote with the landlord. We wish to make it impossible for any landowners, whether Radical or Tory, to intimidate the men who have houses and homes to quit at a week's notice, a condition of things unhappily too frequent.

MR. LLEWELLYN (Somerset, N.): Will the hon. Member give an instance?

*SIR W. FOSTER: I will give no instance. I know the right hon. Gentleman the Chief Secretary will support me in my refusal. He has refused to give names in cases in Ireland on the ground that the people would be boycotted. I decline to give names for the same reason. I will not expose those unfortunate men to the vindictiveness of the landholder. We say you must give the labourers independence and security of tenure. If this be done, we believe their prosperity and the prosperity of the country will be increased. We demand for the agricultural labourer something better than this amending Bill, which only practically tinkers an Act which has been found to be inefficient. It is putting another patch on an ill-fitting garment. Something more than that is needed, and I regret that the Government have not seen their way to go further in their endeavours to amend the Bill so as to make it more easily worked and more useful to a long-suffering class of men.

*SIR E. BIRKBECK (Norfolk, E.): I am sorry entirely to differ from the hon. Gentleman who has just spoken. Speaking for the county of Norfolk, I unhesitatingly declare that a very large number of allotments have been granted, and the very fact of the Act being passed has to a considerable extent increased the demand for allotments. I know that not only the agricultural labourers but many of the artisan class are grateful to the Government for the Act of 1887; but I am bound to say, that as regards the working of the Act, and I desire to be perfectly frank in the matter, I have found many difficulties. I will quote one case in which the Sanitary Authority was applied to two years ago, but unfortunately it took no active steps in the matter. Time after time I brought the matter to their notice, and, after a lapse of two years, they did me the honour of appointing me a member of the Allotment Committee. That was within the last two or three months, and I may state there are to my knowledge some 30 cases in the parish in question in which the cottages have no gardens, and the very fact of this Bill being introduced had the immediate effect of inducing the Sanitary Authority to change their minds and pass a unanimous resolution in favour of putting the compulsory powers of the Act of 1887 in force. Therefore, I hope hon. Members will not say that the Bill of my right hon. Friend was going to be useless. Nevertheless, the question of purchasing land has not cropped up to the extent I anticipated, although the hiring of land has been more largely entertained. I should have been glad if the useful provisions suggested by the hon. Member for South Sussex in his Bill of last Session, could have been utilised so as to have given further facilities in this direction, but I am clear that the working of the Act of 1887 will never be thoroughly satisfactory until we have obtained District Councils. When District Councils are established, I believe that all the existing difficulties will be overcome. I hope that it will be admitted by hon. Members opposite that there is at least one Member on this side,—and, in my belief, there are a great many—who is in favour of District Councils, if only for the purpose of working the Allotments Question. There is one point I feel bound to mention, and that is, that in addition to agricultural labourers, there are a great many others who are desirous of obtaining allotments, and I am sorry to say have been debarred from obtaining them by various

reasons. Speaking of my own Division of the County of Norfolk, I may state that there are some 20 miles of seaboard along which are scattered a large number of fishermen, and coastguardsmen, and others, who have no allotments, and have great difficulties thrown in their way if they wish to obtain them. For my part, I do not see why that class of men, and many others, should not have allotments as well as the farm labourers. I am sorry that we are unable to obtain authentic statistics with regard to the allotments granted since the passing of the Act of 1887. But I believe that they at least treble the number the Government have any idea of. I only wish there were means of obtaining official and trustworthy statistics on this subject, but at the present time there are none. I am quite certain, so far as the labourers are concerned, that they are grateful to the Government for what they are doing in introducing this measure, and will be still more grateful when District Councils are established under which the Allotment provisions may be still better worked.

*(7.5.) MR. WINTERBOTHAM (Cirencester): I am unwilling to have it said that I share in any reckless opposition to the good intentions of the Government to patch up their Act of 1887. After all, we are getting along. It is not so very long since, in 1885, on every platform those who advocated allotments were stigmatised as advocates of the principles of plunder enunciated by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) and the hon. Member for Bordesley (Mr. Jesse Collings). It is not so long since we heard after the Election of 1885, from the new Minister of Agriculture, something about "that blessed word compulsion" as applied to the provision of allotments, and now a better feeling has cropped up with regard to the subject. It was once the fashion to deny it; but when people come calmly to make the inquiry, they found that the wages of the agricultural labourer were not only as low as 10s., but frequently as low as 8s. or 9s. per week, and that there was nothing the labourer so much desired to alleviate his hard lot as access to a bit of the land of his own country. We told you that your Act of 1887 had one radical defect, in consequence of which it would not work; that defect being that what was the mainspring of the Act did not want to work. I allude to the Boards of Guardians, to whom the working of the Act was intrusted. They have thrown every obstacle in the way, and in hardly an instance have they spontaneously or willingly set the Act in motion for the benefit of the labourers. I agree in almost every word that has fallen from the hon. Member who has just spoken. I would, however, say that it is not the Act of 1887 that has doubled the number of the labourers' allotments; rather is it the fact that the labourers have now got votes, and the results that have been exhibited at the bye-elections. Hon. Members find that if they desire the support of the agricultural labourers at election times they must think of the wants and needs of the labourers before the election comes! This Bill, as explained by the right hon. Gentleman opposite, is a little better than appears on the face of it. When I read it I was inclined to throw it down in disgust, because it seemed to provide for long, dreary processes of waiting six months here and six months there, during which the heads of the labourers would be growing grey. But what the right hon. Gentleman has stated this evening makes, I gladly admit, a great difference in the measure. He proposes to allow six labourers to appeal direct to the County Council, which is an Elected Body for which the labourers have votes. The County Councils are in some sympathy with the labourers, and I understand they may pass the Boards of Guardians by altogether and take up and carry through the work which they have neglected. The friends of the agricultural labourer will, however, never be satisfied until the acquisition of land for allotment purposes is made easy, quick, and economical. The labourers freqently hold their cottages subject to weekly notice to quit, and they want to obtain allotments from some authority that will not be able to exercise any such undue influence upon them. I welcome this part of the Bill as a great improvement on the Act of 1887, and I appeal to hon. Members opposite to assist in passing Amendments which will

make the measure satisfactory. I hope it will be made to fulfil the conditions I have laid down; and I shall vote for the Second Reading with this hope.

*(7.12.) Sir W. BARTTELOT (Sussex, North-West): I am glad to see that the hon. Gentleman opposite (Mr. Winterbotham) has approached this question with so much fairness and candour; and I think that if other speakers on the same side had followed the same course, it would have been much better; but I certainly was sorry to hear the observations of the hon. Member for Ilkeston (Sir W. Foster), who endeavoured to make out that we on this side care nothing for the interest of the agricultural labourer. If there is anybody who ought to care, and who does care for the agricultural labourers, it is those who have been connected with him during the whole course of their lives, who have seen them grow up, and who have always been ready to do their best to assist them. The landowners, the tenants, and the labourers are so bound together that it would be most unwise and foolish on our part if we did not do all we could to assist the labouring community. This is undoubtedly a question of grave importance, and it is well that we should look at it fairly and honestly. In my own part of the country I have always made inquiries, when I have a farm to let, if any allotments are required, and should always reserve a field for that purpose if necessary. On one occasion I reserved a field of 14 acres, and divided it out into suitable lots. I had only three applications, and not one of those who applied was a labourer. The parish contains some 2,000 inhabitants. The fact is, in my own part of the country every labourer has got a good garden close to his house. I would rather give a man land close to his house, if possible, than compel him to walk a long distance to his allotment—an arrangement which, after his day's work, renders his allotment of but little benefit to him. I will only say that the Act of 1887, many as are its defects, has been of great benefit. It has stimulated many in different parts of the country who would not have been stimulated without that Act. If we could only get a good and proper return of the voluntary allotments which have been made since the Act was passed, I think it would astonish even the hon. Gentleman for the Ilkeston Division. We know there are some few bad landlords who will not give up an acre if they can help it; but, take the average of landlords, you will find that under the circumstances of the case the Allotments Act is working well. Mention was made of Charity lands. I am the Chairman of the Trustees of certain Charity land in my neighbourhood, and I insist every year that the land of the Charity shall be offered to the labourers if they choose to take it. In that locality a common has also lately been enclosed. A piece of that ground was set apart for allotments, and not above half of it has been taken up. I merely mention these circumstances to show that if in that neighbourhood the demand was ever great there would be land to meet it. I was one of those who mentioned to my right hon. Friend that the machinery of this Bill was rather too cumbersome and might be made much quicker. He has stated to-night that he will do all in his power to make it work better and quicker. If the Local Sanitary Authority fail to do their duty, he has handed the working of the Act over to the County Council—an Elective Body; and if we had District Councils, we should possibly be able to work the Act better. But who prevented District Councils being carried? It was found that if the provisions relating to District Councils had been pressed, the Bill would not have been carried at all. For my part, I shall be glad when District Councils have the management of these things. They will be on the spot, and represent the people of the immediate localities; even more than the County Council, which has control over an extended area. When you come to the compulsory system of doing the work, I know of no one who will say more openly than the right hon. Gentleman the Member for Derby, that it ought to be entered upon carefully and considerately, and that any measure which proposes to take the land or property of anyone ought to be gravely deliberated upon. I will only say, in conclusion, that I think the Act has worked well, and that my right hon. Friend is going to make it work still more effectively in the future by the Bill now before the House.

(8.20.) SIR W. HARCOURT (Derby): Sir, Her Majesty's Government have brought before Parliament to-day two Bills—one to provide for the distressed agricultural classes in Ireland; the other to satisfy the wants of the English labourer. In Ireland you are dealing with a population of some five millions; in England you are dealing with more than five times that number. I think the moral the English labourers will draw will be to contrast this Allotments Bill with the Irish Land Bill. They will say, "What have you done for Ireland, and what are you going to do for the English labourer? What are you going to do for the English labourer to satisfy the want, which he has quite as strong as any which exists in Ireland, that he shall have some right in the soil of the land which he inhabits, and that he shall have some independent title and be allowed to remain on his allotment and do what he pleases with it?" I think the melancholy contrast between this wretched Allotments Bill and the Bill which has been expounded by the Secretary for Ireland will be a text which will be preached upon very largely hereafter. It has been said that in order to make this Act work you must have District Councils. Of course you must. The Boards of Guardians do not wish to do it. The County Council are not able to do it; they have not the immediate local interest which will enable them to do it. You said you had no time last Session for District Councils. Have you any this? The time you are going to spend over the Tithes Bill and over this Allotments Bill would have enabled you to pass a District Councils Bill which would have given vitality to the whole of your local government, and which would have given satisfaction to the Rural Authorities. What does the English agricultural labourer care about your Tithes Bill? What interest has he in the more efficient exacting of tithe out of the land? When he sees day after day, and it may be week after week, expended upon the Tithes Bill, he will say why could not some of that time have been given to making District Councils, which, in the opinion of the Member for Norfolk, are the only things which can give vitality to the Allotments Bill? I must say that it seems to me an extraordinary thing that, knowing this great question agitates the agricultural labourers from one end of the country to the other, that you should throw away so vital a Session as this upon such measures as the Tithes Bill and this tinkering, paltering, wretched Allotments Bill, when you might have supplied a District Councils Bill which would have given satisfaction to the rural population of this country. No apology can be made for the insufficiency of this Bill on the ground that there was not time to have a District Councils Bill. There is abundance of time—there is the whole of the rest of this Session which is not to be devoted to the Irish Bill. It might have been devoted to an English Bill of still greater consequence than this, and far greater consequence than the Irish Bill. The Chancellor of the Exchequer was very indignant the other night at its being supposed that popular agitation might have something to do with the introduction of political measures. I should like to know, if there had not been anything like the popular agitation which we have had in Ireland for some time past, whether there would have been an Irish Land Bill, or, if there had not been anything like the popular agitation which we have had in Wales, whether there would have been a Tithes Bill; and whether, if there had been a similar popular agitation in England, we should not have had a very different Allotments Bill to that which is now before us? The Tithes Bill and the Irish Land Bill were the results of popular agitation. And what lesson are you teaching the agricultural population of this country? That all they are to receive is such a miserable, meagre diet as you offer them in this Bill. My hon. Friend the Member for Sussex says that country gentlemen are interested in the agricultural labourer. I have no doubt they are. But it was not until there was an Allotments Bill that they were stimulated into doing that which he says they have done. We remember how the Allotments Bill of 1887 hung fire for a long time. There was an election which brought it to the front. And when we discarded the Bill as worthless hon. and right hon. Gentlemen on the other side on every platform said that it was a most admirable measure. It was not until after the North Buckinghamshire election that any concession was made. That election

made people alive to the defects of the Bill of 1887, and so we get this amending Bill. I should like to say a word on a matter which seems to have caused some indignation to hon. Gentlemen opposite. It has been said that we do not want any eleemosynary allotments by the landlords. Let that be perfectly clearly understood. We do not want the agricultural labourer to be dependent upon the charity of the landowner, who may give him an allotment. That is not what the agricultural labourer wants; that is not what he is entitled to. In Switzerland, where the population live upon land of their own, you will find flourishing villages in which the people, I am sorry to say, are more well-to-do, much more independent, and much better off than are the people of our English villages. The Swiss live in a climate more inclement than our own, and on a soil infinitely less productive. They live on land which is the property of the Commune, and by a tenure which is common to the inhabitants of those villages. We have seen books written decrying the condition of the peasant population of France, but I am happy to say that the Minister of Agriculture has supplied us with the means of refuting those accounts. One of the most interesting of those valuable Reports of our Consuls abroad, which are circulated by the Foreign Office, gives an account of the condition of the rural population in the South East of France. I must say it fills one with envy to read the account of the independence, the prosperity, and the ease of those people. I want to see the agricultural population of this country placed on a totally different footing from that upon which they now stand. I wish them, in their own districts and in their own parishes, to have land which they can call their own, and upon which they have rights from which they cannot be removed, and for which they are indebted to no one. Now, let that be clearly understood. That is our policy with reference to allotments. All this tinkering of hiring an acre here or an acre there is totally and absolutely insufficient for that purpose. The confession of failure of the Act of 1887 is complete. There has been nothing done under it at all. You say a certain number of people have been stimulated to do what they ought to have done before. Why did they want stimulating at all? I wonder why this Bill has been represented almost as a rod in pickle for country gentlemen who have not done their duty. I was very much astonished that hon. Gentlemen opposite should describe it in that language, or, at all events, in that spirit. As I said before, we wish to place the agricultural labourer upon an independent footing as regards his rights in the soil. That is a distinct policy about which there can be no mistake. What have you done towards that? Nothing at all. You say that your Act of 1887 has stimulated country gentlemen to give allotments where they did not give them before. After all, that is merely a sort of instrument in the hands of the Primrose League. We do not desire to stimulate machinery of that character. That is not what we understand by allotments which are worth giving to the agricultural labourer of this country. Now, your Act of 1887 is admitted to be a complete failure altogether.

*MR. RITCHIE: Not all all.

SIR W. HARCOURT: I will ask the right hon. Gentleman for some example of what this Bill has done. The right hon. Gentleman carefully avoided giving any figures of what this Bill has done, because I venture to say that under his Bill he will not show a dozen cases. The hon. Gentleman (Mr. Long) believes the Bill to be perfect.

*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (MR. LONG, Wilts, Devizes): I never said so.

SIR W. HARCOURT: Then he believes it to be imperfect.

*MR. RITCHIE: I do not possess a Return which embraces the whole of the allotments, but steps are now being taken to obtain a Return. But we know of 1,800 labourers who have been supplied with allotments directly by the Local Authorities, and 2,000 others who have been supplied with the assistance of the Local Authorities, and many allotments have been contracted between the landowner and the tenant.

SIR W. HARCOURT: I really think we are entitled to know what has been done under the Bill.

*MR. RITCHIE: The right hon. Gentleman said we could not show a dozen cases in which allotments had been provided by the Local Authorities.

SIR W. HARCOURT: I did not say so. I said under the provisions of this Bill, which is a totally different thing. My hon. Friend the Member for the Ilkeston Division, last Session, said the instances of compulsory purchase numbered five. Now, I am extremely sceptical about the 1,800. If the right hon. Gentleman assures us that 1,800 have been added——

*MR. RITCHIE: I never said anything of the kind. The right hon. Gentleman has a faculty for putting his own gloss on what his opponents say. I stated to the right hon. Gentleman that, from our information, though I do not believe it is at all full or complete, there were 1,800 allotments provided by the action of the Local Authorities under the Bill, and that in addition, with the assistance of the Local Authorities, upwards of 2,000 had been provided, while many had been granted voluntarily.

SIR W. HARCOURT: The right hon. Gentleman has made no allusion whatever to the question I asked. He says his information is not full. Is it not an extraordinary position that the Government should bring in an Allotments Act Amendment Bill without full information as to the operation of the existing Act? I must say it only convinces me that the North Bucks election made them in such a hurry to amend the Act of 1887 that they had not time to make inquiries as to its operation. I must say it is not treating the House with the respect and consideration which ought to be paid to it in introducing a measure of this kind, that the head of the Local Government Board should be obliged to say that he has not got the figures of what has been done under his own Act. After the North Bucks election, gentlemen from that and other counties must have rushed to him and said—"For Heaven's sake let us have an Allotments Bill, or we shall not know what to do." Therefore, the right hon. Gentleman put down this Amending Bill without getting the facts in connection with the existing Act, and I am bound to say I agree with my hon. Friend the Member for Gloucestershire, that we have got a Bill which, on the face of it, is absurd, and nothing better than waste paper. What does this Bill propose to do? First of all, the Sanitary Authority are to try their hand in the matter. They are to be allowed a reasonable time—which means about two years. ["Three."] Even three years. At the end of the two years the Sanitary Authority will do nothing. Then you call into operation the County Council. The agricultural labourer may have to make a long and expensive journey to the meeting of the County Council to bring his case before it. Or if he sent a petition, I am afraid it would fall very much as do petitions to this House, and would receive about as much attention. And then the County Council meetings do not take place every week, or even every month; and, therefore, before the labourer could approach the County Council two or three months would elapse. Then the County Council are to make a local inquiry themselves. Of course, a person must be sent to investigate whether there is land which can or cannot be given for the purposes of allotments, and in that way it is obvious that several months would be absorbed; so that from the time appeal is made to the Sanitary Authority, which has already wasted a year and a half, or two years, you cannot possibly suppose that the County Council could come to a conclusion under six months. I think that is a reasonable estimate of the matter. Thus, you have two years or more gone before anything is done; and then what happens? The County Council is to be placed in the position of the Sanitary Authority. I should like to call the attention of the right hon. Gentleman to this, because we ought to have some further explanation in regard to it; for, if I am right, there is this absurdity in the proposal: that when you have spent two years in allowing the Sanitary Authority to dawdle over the matter, and another six months in letting the County Council deal with it, you then begin *de novo* what was originally done in putting the allotment powers into the state in which they stood under the Sanitary Authority. Such is the Bill as it stands. Well, what has the County Council to do? It has to put into operation the compulsory powers of the Bill. We all know that it takes some time to

put in motion compulsory powers for the acquisition of land, and, with the best will in the world, the County Council would not get the machinery in operation in less time than a year. But you have furnished no information to the House as to how long, even where you have willing authorities, it will take to work your Bill. In point of fact, the whole machinery of the Bill is absolutely illusory and illusive. You offer to the labourer first of all a totally inefficient body, and then you give him an appeal which is very much like offering him an appeal from the Court of Chancery to the House of Lords in the time of Lord Eldon. I must say that the original Bill of the Government and the Amending Bill, taken both together, are worth nothing at all, and will prove to be so. Whether this Bill will operate as a stimulus to those who want a stimulant is a question that remains to be tested. By the first measure the country gentlemen were to have been stimulated to give allotments they never thought of giving before, and the Local Authority is to be stimulated by the second Bill to change their minds and purchase land they would not purchase before. I say that this system of legislative stimulants is an unwholesome system, and I would much rather see a regular system of wholesome diet for the agricultural labourer on the subject of allotments. The question of allotments is, in my opinion, one of supreme importance; but the system by which you propose to deal with it is one which I regard as totally inadequate. However, I do not intend to oppose the Second Reading of this Bill. It is, in reality, not worth opposing. It will be a mere patch on a thoroughly leaky vessel, which could not be made sound or watertight by such an amending process. All I can say is that you will have to mend your hand altogether, and to act on totally differe t principles if you wish to deal effectually with the matter. You will have to place this question of allotments in the hands of the agricultural labourers and their representatives, and unless you do this you will be doing nothing at all. Your County Council is too large, too distant, too august a body to deal with this question as it ought to be dealt with. No doubt if you set up a proper parochial representative body, with adequate powers, you might get something worth having, and until you get that you do practically nothing. When you say you do not do this because you have not the means, I reply that you do not do it because you choose to waste the time of Parliament on objects in regard to which our time is absolutely thrown away. Alongside the measure with which you propose to deal with the wholesome agitation that has been going on in Ireland regarding the land question, you introduce this miserable Allotments Bill, and propose to still further waste the time of the House on a Tithes Bill, to the utter neglect of the measure the agriculturists have been eagerly awaiting, and which they have a right to demand, namely, a measure of Local Government which will give them District Councils. I say that in adopting this course you have made an enormous political mistake. We on this side of the House are not responsible for this; and while we do not oppose the Bill now under discussion, we protest against it as an entirely insufficient measure for dealing with a question which is a much larger and more important one than you seem to understand, and which will hereafter have to be dealt with on totally different principles.

*(7.52.) MR. W. H. LONG: The right hon. Gentleman opposite has told the House that if the Government intended to deal with this question they would have to mend their hand and adopt a totally different policy. If that be so I do not know that the Government could follow a better example than that of the right hon. Gentleman himself, because during the time he has been in this House he has invariably been in the habit of changing his hand and adopting different policies; while only to-night we have had a remarkable instance of the way in which the right hon. Gentleman can change his policy. The hon. Gentleman the Member for Bordesley and the hon. Gentleman the Member for Gloucestershire have long since identified themselves with this question. I do not say that all their views are based on the best foundations, but I do say they worked hard in reference to this matter, unlike the right hon. Gentleman who held high office for many years, and who had abundant opportunities for legislating on this or other questions, but who, having neg-

lected those opportunities, comes down to this House and says to the Government—

"You are bringing in an Irish Land Bill, and alongside of that you are taking up the time of the House with a trumpery measure like this."

But what did the right hon. Gentleman do? He assisted in bringing in one, two, or three Irish Land Acts, but he totally forgot and ignored the English labourer until he wanted his vote for Parliamentary purposes. Hon. Members opposite have criticised this measure, and made suggestions which certainly show an honest intention on their part to deal with the question in a practical way, the speeches of the hon. Members for Ilkestone and Gloucestershire being calculated to direct our discussion into a satisfactory line; but the right hon. Gentleman gets up and pedantically practises that art of which he is so complete a master, namely, of pouring oil on the troubled waters? He says he desires to carry on this discussion frankly, and on non-Party lines, and purely in the interests of the agricultural labourer, but how does he himself fulfil those conditions? He makes a speech occupying half an hour in its delivery, and during two-thirds of the time he is speaking he is not discussing the principles of the measure, but is accusing the Government of wasting the time of the House in dealing with other questions besides that of allotments. We are desirous of discussing this measure entirely on its merits, or demerits, in the hope that it may be satisfactorily dealt with by the House. The right hon. Gentleman has asked the Government why they do not bring in a District Councils Bill. No one knows better how to answer that question than the right hon. Gentleman himself. He has abundant opportunities of assisting the Government in passing legislation on that subject, and I have no hesitation in saying that if we had his assistance, and if he were desirous of rendering us that assistance, there is no one who could facilitate more than he the passage of legislation on that particular question.

SIR W. HARCOURT: I may tell the hon. Gentleman that I should be most happy to assist in recommending him to substitute a District Councils Bill for the Tithes Bill.

*MR. LONG: The right hon. Gentleman makes one suggestion and then rides off on another point. He knows perfectly well the meaning of what I have said, which was that if he chooses to facilitate the passage of legislation which the Government has already indicated to the House, there would be ample time for legislation on other matters, and if they had the opportunity the Government have already said they were prepared to deal with other matters. I have no doubt that if the Government were to give the right hon. Gentleman the management of their business, he would conduct it greatly to his own satisfaction, if to the satisfaction of no one else. I am happy to say we are not yet driven to the unfortunate condition of either having to ask the advice of the right hon. Gentleman, or to accept that advice unasked. The right hon. Gentleman has taken the Government severely to task, or, at any rate, my right hon. Friend at the head of the Local Government Department for his haste in dealing with this question, but we know that the right hon. Gentleman has only very lately developed any interest in the subject.

SIR W. HARCOURT: I am the oldest Member of the Allotments Association in this country.

*MR. W. LONG: We know very well that these Associations are composed, as in hives, of drones and working bees, and I do not think that the right hon. Gentleman can be considered to have been among the latter. Doubtless his own conscience will tell him what his position has been on this question. But if the right hon. Gentleman is so old a hand, and has for so long a time taken an interest on this question, it is marvellous how, with his great abilities, he should have fallen into such great and startling errors. Why, he told us this evening that the average time during which the Local Authority would be occupied in considering this question, would be two years—he was inclined to think three years.

SIR W. HARCOURT: I said 18 months or two years.

*MR. LONG: He said he would take two years as the average time.

SIR W. HARCOURT: I said nothing of the kind.

*MR. LONG: Yes; I took the right hon. Gentleman's words down at the time. However, I accept the right hon. Gentleman's statement.

SIR W. HARCOURT: You declared at first that I said three years.

*MR. LONG: I said the right hon. Gentleman was inclined to think the matter would be under the notice of the County Council three years, but that he adopted two years as the average time. Take it, however, at 18 months. He wants us to believe that 18 months will be occupied by the Local Authority in providing these allotments. He was cheered by the hon. and gallant Member behind him (Captain Verney), whose view is based upon his own electioneering experience in Buckinghamshire. I admit, and I have said it before, in answer to hon. Members in this House, that there was a most unfortunate and deplorable delay in providing allotments in that case. But the right hon. Gentleman opposite knows, and the House knows, perfectly well that it is ridiculous to argue from one or two bad cases. The right hon. Gentleman has taken the Government to task because they do not know what the operation of their own Act has been. But those who are conversant with the facts know that it was impossible to obtain the information it is desirable to put before the House. The Local Government Board has no means of obtaining their information. I believe the right hon. Gentleman, with all his experience, has never been at the Local Government Board; therefore, I may be allowed, with all respect, to tell him how the case stands in regard to that Department. We have no means of knowing what the Local Authorities have done unless those Authorities apply for compulsory powers, or for a loan, or for a form of bye-laws for the management of allotments.

SIR W. HARCOURT: Why not ask them?

*MR. LONG: Does the right hon. Gentleman want us to ask for information which would certainly be untrustworthy? There are Agricultural Returns, as the right hon. Gentleman knows, of the number of allotments throughout the country; and when the next Return is issued, on which my right hon. Friend is engaged, it will be found that there has been a large increase in the number of allotments, and that such increase is due in no small degree to the Act of 1887, over which the right hon. Gentleman made so merry. The right hon. Gentleman charged me with saying during the recess that the Act was perfect. The right hon. Gentleman was for once in error—slightly—or not quite so correct as he generally is. I had not made the statement to which he referred. I interrupted him at the time, and told him I had not made the statement. Then, with his usual fairness, he said, "Oh, then he says the Act was not perfect," and he proceeded to put his own construction on the word imperfect. I have admitted that the Act is incomplete, because it does not create an appeal when the Sanitary Authority fails to provide allotments. It is the object of the Bill to remedy that deficiency. I do not understand that the hon. Member for the Ilkeston Division (Sir W. Foster) takes exception to the Bill on the ground that it does not go far enough. The hon. Member for the Cirencester Division (Mr. Winterbotham) tells the House very plainly what they want. He says they want allotments which shall be occupied independently of local landowners, and be easily, cheaply, and rapidly obtained. I entirely agree with the three last propositions, but to the first I as strongly demur. We hope to see allotments provided at a moderate cost, rapidly and easily, and we desire to see the labourers in independent enjoyment of their cottages or allotments. I am sorry that in the course of this debate, when I believe the House is honestly engaged in trying to facilitate the provision of these allotments, hon. and right hon. Gentlemen opposite should have thought it necessary to use offensive and unfounded language about the action of landowners with reference to the labourers, and of the connection of the Primrose League with the voluntary provision of allotments. The right hon. Gentleman opposite may make these charges; but I am sure that many of those English country gentlemen whom he has denounced have done far more to carry out the principle of allotments by voluntary action on their own properties than he has done in the House or out of it. Hon. Gentlemen who are conversant with the allotments question will admit the truth of this. It will generally be

found that when the property in a district belonged to one owner allotments are provided to meet the wants of the labourers. It is when the land is divided among several owners, and when, consequently, responsibility is also divided, that failure is found to exist. It is said that the Act of 1887 stimulated landowners to grant allotments. It is not a question of stimulating anybody; but of affording the labourers an opportunity of obtaining allotments where the landowners do not provide them. The hon. Member for North Buckingham says the landowners have been remiss, and he told the hon. Member for Sussex that he did not understand the question. Well, it is easy to make charges of that kind; but the making of such charges will not further the object the hon. Member professes to have at heart. He will not further the interests of those he desires to benefit by making offensive charges against the order to which he himself belongs. As to delay, it is impossible to avoid it altogether, for even in cases where the Local Authorities and the landlords are anxious to provide allotments, it is often necessary either to wait for the expiration of tenancies or to pay tenants for unexhausted improvements. And in the latter case it is frequently found impossible to let the land at such a rate as labourers can afford to pay. It is only where land is unsold and is of bad quality that it is voluntarily surrendered. Where every acre of land is let and well cultivated there must be delay; and, so far as I am able to see, I cannot understand how it is to be completely avoided, unless you do it by paying people to get out—and if you do that, as I say, you run the undoubted risk of having to let allotments at prices far above the reach of the labourers. The criticism of the hon. Member for Gloucestershire did not agree with that of the hon. Member for the Ilkeston Division. The latter condemned the Act, whereas the former attributed any failure which has happened, not to the Act, but to those who work it—the Boards of Guardians. Take the case of North Bucks. Hon. Members will not pretend that the Act broke down there. The Local Authorities, it is contended, failed to recognise their responsibilities——

*Captain VERNEY: That is the failure of the Act.

*Mr. LONG: I beg the hon. and gallant Gentleman's pardon. The failure of the Act was the want of a Court of Appeal from the Guardians. If there had been a Court of Appeal the labourers, if they wanted allotments and could not get them from the Sanitary Authority, would have appealed to the County Council for them; and if that appeal had been provided for in the Act there would not—or need not—have been any delay. If the Bill which we are now considering passes, there will be that appeal. Well, I do not think Her Majesty's Government have any reason to be alarmed at the criticism of hon. Gentlemen opposite who understand this question, or at the severe attack of the right hon. Gentleman the Member for Derby. These charges come with a very bad grace from right hon. Gentlemen opposite, who, when they won a General Election upon a particular policy, and once more found themselves in Office, fogot all about that policy, and only remembered it again with suspicious suddeness when they thought it a convenient opportunity for attacking Her Majesty's Government.

(8.47.) Mr. NEWNES (Cambridge, E., Newmarket): We have been asked by the right hon. Gentleman opposite to allow this Bill to pass through the House quickly, and I, for one, intend to respond to that call. I believe the Bill is unwieldy, where it ought to be simple. I believe it will be costly and slow, where it ought to be cheap and rapid in its action; but I, for one, will not offer any opposition, or support any attempt at opposition, no matter whence it may come, to labourers getting the allotments they so much require. It is of no use our getting into recriminations upon the past, such as were indulged in by the last speaker. Let us now in this House, as we have the opportunity, all of us assist in every possible way to pass through a measure—no matter how imperfect we believe it to be—that gives some chance of our gaining the end we all have in view. I have risen to-night rather to make a denial of an allegation which has been made with regard to the County Council of Cambridge, part of which county I have the honour to represent. The hon. Member for the Ilkeston Division (Sir W. B. Foster) has stated his belief that that County

Council is unfavourable to labourers' allotments. I am perfectly sure that he has no desire to misrepresent the members of that Council; but I could not allow an allegation of that kind to be made in this House without giving it a reply in this House. The majority of the members of the Cambridge County Council are opposed to me in politics; but it is within my knowledge that this Body has displayed the greatest activity in regard to the allotments question, and they do not deserve to be characterised as unfavourable to labourers. When the new appeal which this Bill confers is given to the Cambridge County Council I believe they will do their duty, as far as this difficult and complicated measure will allow them, in giving to agricultural labourers in Cambridgeshire those allotments of which they stand so much in need.

(8.53.) MR. LLEWELLYN: I have looked forward with much interest to the introduction of this Bill, and I am glad to think that in two particulars it is an improvement of the existing Act; we have an appeal where Guardians are slow in action, or averse to action, and we have further facilities given for passing through the stages after the Sanitary Authority has first declared in favour of compulsory purchase, and then the matter returns to the County Council. These two particulars are of great importance, because the difficulties of carrying out the Allotments Act have been chiefly met here. I cannot say that, personally, I have heard of any cases—except in this House—of Guardians being averse to the operation of the Act. I have no reason to doubt, however, that there have been such cases, such as have been cited by hon. Members opposite, but I have had no experience of such. In my own county the Guardians willingly assist in every possible way, and so also do the farmers, and I should strongly condemn any Board of Guardians who, having a requisition sent them, and being satisfied of its *bona fides*, should neglect to carry out the wishes of the labourers. They have no right to do it, and there is no reason why they should do it. Guardians, however, have been condemned for opposition to the measure. But let us see exactly the position of the Guardians when they are called upon to put the Act in force. As a rule, it is simply a request from the parish, or it does not even come to that; it is made known to the Guardians that the parish wishes, with the approval of someone who has the land, to have allotments provided; or, in other cases, a meeting is called, and, public attention being directed to the subject, those enabled to let land are induced to offer it. But there come occasions when the land has to be rented or bought, and then, looking to the future, there comes a grave responsibility upon the Guardians and the parish officials who accept the terms. Remember it is not like making a provision for the year; it may be saddling the parish with a lease for 30 years—I think an objectionably long term. The Guardians are answerable for aiding in what may be a good, or may be a very bad, bargain for the parish. The whole of the expense falls upon a parish applying for allotments, and that parish may be in a decaying state, perhaps dwindling in population, its prosperity affected, it may be, by the construction of a new line of railway, or other causes. Many matters have to be taken into consideration, and the decision is difficult and important. I quite agree with my hon. Friend that we want District Councils, if for no other purpose, to fill up a blank in the operation of this Act, and to afford a rough and ready means of carrying through the intermediate stages, so fruitful of delay and expense. I was not here when the President of the Local Government Board gave his explanation of the Bill, but I am glad to hear that he is ready, and that he proposes, to make some further alterations in regard to these intermediate stages. I have long ago thought it possible, where a Sanitary Authority is willing to carry out the compulsory clauses, and where the County Council is satisfied that the application is *bonâ fide*, and so forth, that the Local Government Board might hold an inquiry, just as the Board does under the Sanitary Act when money is proposed to be borrowed from the Public Works Loans Commissioners for improvements, and the expenses in the same way fall on the parish. If time could be saved this would be very desirable. The right hon. Gentleman the Member for Derby has spoken of delay of two or three years; he used the word years, though, perhaps,

not intending to convey the meaning which was attributed to him, and I am bound to say the delay is vexatious indeed, and much against the usefulness of the Act. It is well to remember that the delays in seasons are important. If a man has possession of the land in the Autumn, or at Christmas, he can proceed at once to prepare it for planting, but if he only has it in March it will be of no use to him for that year. In November the Council does not sit, and so another year goes by, and if any informality occurs in title, or in any other way, I can quite conceive it possible that owing to a mistake in fulfilling the requirements of the Act there might be a delay of two or three years. I am glad that a Standing Committee is to be employed to act for the County Council, for such a Committee will have local knowledge and be able to act with more efficiency than can the Clerk to the Council. When a County Council has satisfied itself as to the *bona fides* of a requisition it has further to employ its Clerk, and what in the world does he know of the matter? He has got to check the action of a Committee composed of Guardians and parishioners, and they have far more knowledge than the Clerk can have. If a Standing Committee is employed to do what the Clerk is now authorised to do, that Committee can act between the times of the sittings of the Council, and so at once considerable delay will be obviated. Now, I wish to say a few words in reference to what has been said from the other side of the House in relation to the parish of Wedmore. It is a peculiar case, and illustrates the difficulty we have had to contend with, and the necessity for alteration in the Act. The Sanitary Authority was by no means averse to the carrying out of the Act, and unanimously passed the resolutions necessary. We had to deal with a parish where, after inquiry, we found no land available except one piece of pasture, a valuable piece of land, near the village. That was in the hands of a farmer, who at once said, "I will not stand in the way of it." The tenant for life said he was willing to stand aside as long as he got the same rent. Then we came to the real owners, who were the Trustees of a certain Charity in the City of Wells. They objected. First of all, the Clerk said, "Who will guarantee me my expenses?" I thought this rather unreasonable, but it ended in someone guaranteeing his expenses. Well, I found out the value of the land to the trustees, and offered them 10s. an acre more than they were receiving. They would not accept this, and at last we got an offer from them. They wanted £4 an acre—which the land was well worth—and in addition they wanted 10s. an acre, and they would not let the land unless on a 50 years' lease. We said we could not accept the land on these terms—in fact, the Act would not allow us. We at once put the notices in the papers and took steps to obtain the authority of the County Council. Well, what I want to point out to the House is the delay and the expense attending all these proceedings. All the expense must come out of the land. This Bill will remedy a great deal of this, and it will enable the Local Authorities to at once see their way to the amount at which they can offer the land to the labourers. I believe that in the course of three months we shall be able to show that through the action of the Sanitary Authority in the one Union of which I have been speaking, we have got between 60 and 70 allotments, and I hope that under the compulsory provisions of the Act we shall get 20 or 30 more. Therefore, I say, it is a mistake to suppose that the Bill has not been effective. If the object of the Act was to create allotments, it has been successful; if its intention was to stir up strife and to put the landlord's nose to the grindstone and keep it there, I am glad to say it has in that respect been a failure. I believe this Bill will benefit those whom we desire to benefit, and that under the Bill matters will go on more smoothly than they have done up to the present, and I trust that hon. Gentlemen will follow the example which has been set by the hon. Member for Gloucester, who stated that he would do all he could to facilitate the passing of the measure.

*(9.6.) MR. HOBHOUSE (Somerset, E.): I do not entirely agree with hon. Gentlemen who have spoken from this side of the House in regarding the operation of the Act of 1887 as wholly of an unsatisfactory character. I quite admit the incompleteness of that Act. I earnestly desire its amendment, but I

must say, from my own experience, that the Act has in many places conferred great benefits, both directly and indirectly, on the agricultural labourers. I was glad to hear the hon. Gentleman the Secretary to the Local Government Board (Mr. Long) say that the Agricultural Department are preparing a new Return of the number of allotments existing throughout the country. I would ask the right hon. Gentleman the President of the Board of Agriculture (Mr. Chaplin) to say whether that Return will correspond with the elaborate Return granted in 1887. I trust that it will do so. Whether the allotments which have been granted during the last three years have been actually obtained by Sanitary Authorities under the Act or by more indirect means, I think we must all realise that the total increase in the allotments will form the best and most practical test of the operation of the Act. I must admit that the Act has, to some extent, and in some localities, been a failure. Its operation has been, to some extent, limited by the way in which many hon. Gentlemen on this side of the House and their friends have depreciated it as a means of obtaining allotments. I think that if those Gentlemen have the great influence over the agricultural labourers which they claim, and, in some cases, justly claim, they will be acting in a more friendly way to that class by advising them to take advantage of the machinery of the Act—clumsy and incomplete though that machinery may be—than by declaring on every platform in the country that the Act is a sham, and is perfectly useless. I would suggest to the Government that there are two main causes which have caused the Act to be a failure in many cases, and I would submit to them that neither of those causes are removed by the present Bill. I think we all recognise the first cause in the composition of the Local Authority. It seems to me quite clear that a Local Authority, composed mainly of the occupiers of land, will not be very zealous in putting into operation an Act which may deprive them of land which they occupy and upon which they set much value. We all look forward to the introduction of the District Councils Bill for an improvement in the administration of this measure. The second cause which has prevented the Allotments Act from working, has, I think, been its too stringent financial provisions, which require that all extra expense occasioned by compulsory proceedings must be recouped out of the rents. I think some discretion should be given to Local Authorities in the matter, and that Sub-section 2 of Section 2 should be repealed, so as to take from any churlish or obstinate landowner the too-ready means of putting a stumbling block in the way of the labourers getting land at a reasonable price. The present Bill will not do anything in either of these directions. It is an imperfect attempt to amend a clumsy measure, which may work well in districts where everyone is ready to see it work well, but which may fail where there are men who are anxious to put stumbling-blocks in its way. It will, however, give an appeal from an unreformed authority to one elected on popular principles. I hope, therefore, the House will accept the Bill as, at all events, an honest and *bonâ fide* attempt to amend the imperfect machinery creatd by the Act of 1887.

(9.13.) Major RASCH (Essex, S.E.): Whilst listening to the speeches of some Gentlemen opposite one wonders that they did not produce an Allotments Bill when their Party was in office. I am glad the Government have seen their way to introduce this Allotments Bill at last. I think it was full time; I have always looked on the Act of 1887 as impracticable and useless, and I have found it to be absolutely unworkable. I think the Government might have saved the time of the House and the country if they had thought proper to give some consideration to the Allotments Bill introduced by the hon. Member for Bordesley (Mr. Jesse Collings) and myself two years ago. The object of the Bill was to substitute the word "shall" for "may," and to put a little gentle pressure on the Rural Sanitary Authority. It also embodied the very principle which the right hon. Gentleman has admitted is the central portion of this amending Bill. I certainly think this Bill is somewhat cumbrous and slow, but on the whole it is no doubt a step in the right direction. I do not think that anything will relieve us from the difficulty under which we labour in

agricultural districts. I doubt whether anything will help us but the introduction of a District Councils Bill, and I hope that before long the President of the Local Government Board will give us such a Bill as we require. But in any case I shall vote for the Second Reading of the Bill, and do what I can to promote the passage of the measure through Committee, not forgetting that I shall vote for my own Bill if I have the opportunity.

*(9.16.) MR. CHANNING: The hon. Gentleman (Major Rasch) has referred to his own efforts to amend the Allotments Act—efforts which I have recognised in the past with great satisfaction, because the Amendments which the hon. Gentleman put into his Bill were practically Amendments on which the Liberal Members divided the House again and again. The other day I compared the Division List of that period with the names of the hon. Members who are at the back of the Bill to which the hon. Member for Essex has just referred. There were 15 Divisions on the more important principles which we tried to introduce into the Allotments Act of 1887, many of these being the very proposals which have since been received with favour by the hon. Member. In these 15 Divisions the six or seven Members whose names I find on the back of the hon. Member (Major Rasch's) Bill recorded no less than 52 votes against the propositions laid before the House, and two of them were absent all the time. I wish to be quite fair, and therefore I must say that the hon. Member for the Bordesley Division (Mr. Jesse Collings) did not record more than one or two of the 52 votes. I should now like to turn to the very spirited and clever speech of the hon. Member the Parliamentary Secretary to the Local Government Board. Such a case as his needed a spirited speech. In the first place the hon. Gentleman challenged the statement of the right hon. Gentleman the Member for Derby (Sir W. Harcourt) that the Government are wasting the time of the House by this Bill. I should like to know if the speeches of the two hon. Members on that side of the House who have recently spoken, the very practical speech of the hon. Member for Somersetshire (Mr. Llewellyn) and the sympathetic speech of the hon. Member for Essex (Major Rasch), and also the speech of the hon. Member for Somersetshire who sits near me (Mr. Hobhouse), are not ample proofs of the assertion that the Government are wasting the time of the House. What is wanted by the country, and by the labourers and village artisans who want to obtain allotments, is a willing authority, an authority which will sympathise with their needs, and which will facilitate the carrying out of the objects they have in view. What is the origin of this Bill? It is somewhat amusing, but it can be found in a passage in the speech of the right hon. Gentleman the Minister of Agriculture (Mr. Chaplin). Speaking on the 11th of August upon the Second Reading of the Allotments Bill, he used, perhaps, the strongest language made in the debate up to that time against the authority to which the Government had most unwisely entrusted these powers. He said—

> "As regards the Rural Sanitary Authority, my objections to the Bill in its present form are more serious. . . . I confess to some apprehension that the Rural Sanitary Authority as the motive power, and the body having the initiative in this matter will prove to some extent a snare and a delusion."

I say, frankly and cordially, I have no doubt that if the right hon. Gentleman had then been a Member of the Government we should have had something as good as this Bill in 1887, instead of having this Bill in 1890. The right hon. Gentleman went on to recommend exactly what this Bill adopts, for he said—

> "I should like to see the initiative to a much greater extent placed in the hands of the people who want these Allotments themselves."

I think those are very sensible words, and I wish the Government had seen their way to act upon them. But when I placed on the Paper in August, 1887, an Amendment providing that the initiative and the compulsory power, as it were, should be placed in the hands of those who wanted the allotments, and divided the House upon it, the right hon. Gentleman, if I remember right, walked into the Lobby against me. Further on in his speech the right hon. Gentleman went on to recommend exactly what the Government are now adopting, that is an appeal to the

County Councils. I ask any one of common sense whether the proposals of the Government are not at the present stage of the proceedings, however sensible they may have been when suggested three years ago, "a snare and a delusion," to use the right hon. Gentleman's own words. What we want, as has been said again and again, is a willing authority, an authority which has also the means at its disposal to carry out what it has to do. It happens that the division which I have the honour to represent is perhaps a division more keenly interested in this question, and also more fully supplied with allotments, than any other. Notwithstanding the supply of allotments, there is still a great eagerness to obtain still more land. Naturally, therefore, it is a question in which I have taken some practical interest. Some little time ago, in dealing with the defects of the Allotments Act, I pointed out to a meeting of my constituents that, under the Act which was to have been compulsory, not one single inch of English soil had been procured for labourers. I also pointed out that in all only five loans had been applied for, and that the acreage purchased with these loans was only 85. A constituent of mine, who is not of my way of thinking, wrote to the Secretary to the Local Government Board, and the hon. Gentleman's secretary replied—

"Mr. Channing's allegation that not a single inch of land was acquired compulsorily under the Act is strictly correct."

With regard to loans, it was admitted in the letter that my contention was right. I ought to say that at the time the letter was written, the 9th of December last, one additional little loan had been applied for. When my right hon. Friend the Member for Derby was alluding to the very small quantity of land which was obtained under this Act he was interrupted by the President of Local Government Board who said the Local Government Board had information to the effect that 1,800 men had been supplied with allotments by the Local Authorities. I noticed that the right hon. Gentleman did not state how he obtained the information, and I noted also that the hon. Member for Wiltshire was careful to avoid offering any further explanation. But in the letter from the Secretary to the hon. Member for Wiltshire (Mr. Walter Long) to my Tory constituent it is said—

"The Board are not in a position to state what is the total acreage of allotments provided since the passing of the Act, but on this point reference may be made to the first annual report of the Rural Labourers' League. 'In the opinion of the Committee the chief benefit at present arising from the passing of the Act of 1887 is the remarkable stimulus given to the voluntary supply of allotments. The cases actually within the knowledge of the Committee comprise over 2,000 acres, allotted to above 4,500 men, and it is certain that these figures in no way represent the full results of the Act in the voluntary supply of land. But the direct operation of the Act itself has also been very considerable. Upwards of 1,800 men have been supplied with allotments directly by Local Authorities. With the assistance of the Authorities, to whom applications have been made in accordance with the provisions of the Act, arrangements have also been concluded between the applicants and the local landowners, by which a further number of above 2,100 men have been supplied with land.'"

The President of the Local Government Board did not state where he obtained his information as to the 1,800 men who have been supplied with allotments under the Act, but I fancy the authority is to be found in the letter in which the correspondent of the Secretary of the Local Government Board is referred to the first annual report of the Rural Labourers' League. I certainly look with considerable suspicion on figures obtained from such a nondescript and mongrel body as this—a body which was started under the auspices of a galaxy of Dukes and Marquesses—not forgetting a foreign Count—and which has been chaperoned by the hon. Member for the Bordesley Division. To turn to more serious points, this question is not one for idle recrimination between different Parties in the House. I am sure there are hon. Gentlemen on the Benches opposite who have the matter at heart as earnestly as Liberal Members have. I heartily join in the appeal which has been made by the hon. Member for Somersetshire to the Minister for Agriculture to give us some reliable statistics on this allotments question; and I urge that the whole House has a right to expect better and fuller Returns than have yet been given, as well in regard to where the allotments are, what are the areas, the terms on which they are granted, and the relation of the allotment holders to the Local Authorities as to the mere

number of allotments held. Another important point on which we want information is as to the number of allotments held by Associations. That is important, because those who take land under an Association are in a far more independent position than those who hold directly under the landlord. They have a much stronger foothold. The hon. Member for Somersetshire made a very sensible remark when he drew attention to the 4th clause and to the Committee to be appointed under it. Now, I have a suggestion to make. It is a practical one, and I earnestly hope the Government will adopt it. I think they would facilitate the object they have in view if they tear up this Bill and give us a simple one, transferring the powers now possessed by the Rural Sanitary Authorities to a Standing Committee of the County Council. As long as the initiating authority remains with the Board of Guardians so long will this Bill, to use the words of the Minister for Agriculture, be a delusion and a snare. At the present time in many parts of the country labourers dare hardly have an opinion of their own, and very few can get their courage up to demand allotments of a Body composed of men who hold their living in their hands, or would venture to make the appeal to the County Councils. The 4th clause affords just the solution of the difficulty that is is required. The Government tell us they have not the time to carry a District Councils Bill. Then, let them make a move in the right direction and temporarily entrust powers under the Allotments Act of 1887 to a Standing Committee of the County Councils, and I venture to say that that will go far to carry out the objects which they profess to have in view. The defects of this Bill are manifold. First, it does nothing to remedy the greatest mistake that was made in the Bill of 1887, namely, to remove the restriction on the quantity of land to be held by one man under the Act. Hon. Members who have studied the valuable evidence given before the Small Holdings Committee by Mr. Fyffe, will agree that we cannot expect a system of small holdings to be carried out successfully until we have created a state of things in which a man may begin by cultivating a quarter of an acre and by saving, and thrift, and industry, build his way up until he holds five or six acres, and eventually takes even a larger holding. I feel sure we shall never be able to deal satisfactorily with the question until we get rid of that absurd restriction, and thus enable an agricultural labourer to increase his holding. We say that this giving the labourer a foothold in the soil of the country means the building up of his manhood. In the next place, hon. Members on this side of the House are in earnest in wishing that the powers of purchase should be made really compulsory, for they attach great importance to the purchase of allotments by Local Bodies, by the Representatives of the people, by the Representatives of those who want the allotments. What is the great difficulty which stands in the way of the successful operation of this Act? It is the cost of the land and the cost of the procedure under the Act; but I think that this difficulty might be obviated to a great extent if the powers were transferred to a Standing Committee of the County Council, when, obviously, the Provisional Order would only have to be settled between a Committee of the Council and the whole Council itself, and the cost thus lessened. The question of compensation for the compulsory purchase of land should have been dealt with in this Bill if the Government really wish to secure the results they say they aim at. While, however, I do not regard the Bill in a hostile spirit and shall abstain from voting against it, yet I maintain that by it the Government have once more deliberately thrown away a great opportunity of achieving the purposes they profess to have in view, and they will have only themselves to thank if it is said in the country that they regard the rights of the landowners and tenant farmers more than the rights and interests of the agricultural labourer. The hon. Member for Wiltshire stated that in acquiring allotments in crowded neighbourhoods we should have to pay compensation to the farmer for his improvements. I fully agree with that; for I think the farmer ought to receive the fullest compensation for the improvements he leaves on the land, whether the that land passes to another tenant or whether it is devoted to allotment purposes. Experience has shown us that an unwilling Authority can delay practical

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operations under the Allotments Act for a period of three years, and it is one of the results of the imperfect Bill of 1887 that the authority in such cases will postpone giving the necessary notices to the farmer, and so further delay the operation of the Act. I am glad the Conservative Party have recognised the failure of the Act of 1887. I know the President of the Local Government Board does not admit that failure, but I venture to think the situation to-night is a confirmation of the statement that it is a failure. But I do wish the Government would adopt the practical suggestion of making a Standing Committee of the County Council the authority under the Bill. They can secure this by dropping all the Bill, with the exception of the 4th clause. But as I suppose we cannot expect them to make that surrender, I am driven to agree with the right hon. Gentleman the Member for Derby that, by their conduct, they are once more wasting the time of the House and of the country.

(9.45.) MR. JEFFREYS (Hants, Basingstoke): I would like to bear testimony to the successful working of the Allotments Act in my own County of Hampshire. In one parish the labourers approached the Local Authorities with a view to securing land for allotments. The matter came before the Board of Guardians, who discussed the matter, and at once set about obtaining the necessary land. It was a parish in which it was not easy to get land for allotments, and it was only by holding over the heads of owners and tenants the compulsory clauses of the Act, and by threatening to put them into force, that it was possible to get the land. Eventually, however, nine acres of very good land was obtained for the purpose, and it was let to the labourers at the very moderate rent of 3d. per rod. I do not think that hon. Members will consider that that was an excessive charge, when it is remembered that this land formed part of a hop garden. In this case, consequently, it will be admitted that the Act operated successfully. In another parish—that of Alton—a similar application was made for allotments by the labourers. In that parish there were no vacant farms and great difficulty was experienced in getting the allotments. Again the Board of Guardians were petitioned, and they succeeded by threatening to put in force the compulsory clauses of the Act in getting the necessary lands, and again they let it to the labourers at the rate of 3d. per rod, which, as hon. Members know, represents £2 per acre. That, I must contend, is a very moderate rent, because it is well-known that land in that immediate neighbourhood frequently fetches from £3 to £4 per acre. I felt it incumbent upon me to make these few remarks, as several hon. Members opposite have attacked the Allotments Act, and suggested that it has proved a failure. I can only say that in my own county there is a general desire to provide allotments for labourers, and that the County Council for Hampshire has appointed an Allotments Committee with a view to securing the provision of allotments. I only hope that the Bill now before the House will pass with the Amendment which the right hon. Gentleman has suggested. I believe that it will prove a useful measure, and that it will be the means of giving more labourers allotments than possess them at the present time.

*(9.50.) MR. QUILTER (Suffolk, Sudbury): I am not surprised that my hon. Friend the Member for East Northamptonshire should be a little hard on that excellent publication, the *Rural World*, which, I am glad to think, is doing so much good in disseminating the truth among agricultural labourers. Now, I should be sorry to see this matter dealt with in a spirit of Party recrimination, and with a view to securing Party advantage. I have endeavoured, as a Member elected mainly by agricultural labourers, to study the interests of that class as much as lies in my power; and to that end the County Council, of which I have the honour to be a member—the West Suffolk County Council—have appointed an Allotments Committee, at which as Chairman of the Sub-Committee I have taken an active part. That Committee has worked for six months continuously, and it has by its efforts collected a number of statistics which throw little light on this question. These statistics refer to no fewer than 181 parishes, and they afford some little practical experience of the working of the Allotments Act in that part of England. I must take ex-

ception to the statement made by my hon. Friend the Member for the Ilkeston Division to the effect that the result of the working of the Act in the East of England has been wholly unsatisfactory. It is perfectly true that, according to the statistics to which I have referred, there is a considerable demand for allotments still existing; but, on the other hand, we find that the number has increased. In 1887 it was 5,628, and in 1889 it had risen to 6,413. That may not be considered a very great result; but it does not represent the whole increase, because one effect of the Act has been to stimulate the provision of allotments privately, and without bringing into operation the compulsory powers. There is another deduction which might be drawn from the remarks of the hon. Member, which I think requires a little qualification, because those figures, on the face of them, appear to show an unfortunate state of affairs in our quarter of the world. They show that there are 2,215 houses in the Western Division of Suffolk without gardens. That, as far as Returns go, is approximately true; but it must be bor e in mind that there are 8,713 cottages in that division which have gardens attached to them, and that of the 2,215 cottages before referred to, the great majority are in streets in small towns where it is manifestly impossible that they should have gardens attached to them. I should like to record my humble opinion that it is cottage gardens that are most required by agricultural labourers in this country. A man wants a garden where he can, at the termination of his day's work, employ himself and be assisted by the members of his family, and he does not want an allotment situated a mile or two miles from his home, because it is only men of unusual strength and perseverance who can, after a hard day's work, tramp that distance along a dusty road on a hot summer's evening or in the face of a bitter wind on a winter's night, in order to carry on the cultivation. In the absence of legislative enactments, it is only by the pressure of public opinion being brought to bear upon the owners of cottage property that we can hope to secure the provision of such gardens. I do not think the blame for the absence of gardens rests with the large owners of property. It is more often the village tradesman or shopkeeper who is the owner of cottages attached to which are no gardens. And people who live in these cottages may just as well live in St. Giles's or in St. George's-in-the-East, because, as a rule, the dust bins, &c., are built close up to the back door, and there is no yard in which a person can even turn round. I repeat, do not let us approach this question from a Party point of view. It is not a question in which one side of the House is interested more than the other. I do not believe that the landlords have, as a rule, put any obstacles in the way of the labourers getting allotments, and though I should have been glad if the Government could have seen their way to bringing in a Bill for the establishment of District Councils. I wish to state at once that I heartily accept this measure as an instalment for the good of the agricultural labourers. I remember nothing more disappointing in my experience in this House than when Mr. Arch, then a Member, talked out an important Allotment Bill, introduced by the present Minister of Agriculture. Let hon. Members, who are deesirous of championing the interests of agricultural labourers, take this Bill as an instalment of good, and in the hope that another year a further step may be made in advance. I admit it cannot be said that we are going forward in this matter by leaps and by bounds; but I repeat I am grateful to the right hon. Gentleman the President of the Local Government Board for his measure, and I think the admission which we have had from hon. Members on this side, that they do not intend to divide upon it, is proof that they know that they must accept it. We have heard something about an appeal to the country from the right hon. Gentleman the Member for Derby, who has treated us to one of those speeches which he is so well able to deliver, and which are never more delightful than when he is dealing with a subject of which he evidently knows but little, but upon which he is induced to speak because he sees an opportunity of gaining a Party advantage. Let me tell the right hon. Gentleman that he must be very quick, indeed, with his appeal, if he wishes to prevent the Bill having its effect, because I hope that under its provisions there

will, before the next election, hardly be a labourer in the Kingdom who, if he wants one, will not have been able to obtain an allotment. I can only repeat that I hope next year the right hon. Gentleman the President of the Local Government Board will give us a further instalment of legislation in this direction. We know Members of this House are all anxious to appear at the right time as the friends of the agricultural labourer, and I think it is a very reasonable rivalry. The hon. Member for East Northamptonshire has referred to the proposal to appoint the Standing Committee of the County Councils to deal with these matters. I do not know if the hon. Gentleman is a member of the County Council in the county which he represents; for if he were, I think he would find that the Standing Committee of the County Council has already more business on its hands than it can well get through. At any rate, I know that that is the case in regard to the Standing Committee of the County Council of my own division, and I believe it to be the case in regard to such Committees in other counties. It has always been the fashion to refer these matters to a Standing Committee, and I would say that I approve of the proposal of the Government to appoint a Special Committee, *ad hoc*. Moreover, I do not think the efforts made on this question by some of the Local Sanitary Authorities have merited the snub that would be administered to them, if without further trial their powers were summarily transferred to the County Council. And I look forward with hope to the right of appeal conferred by the Bill working with salutary effect, and to a great addition being made to allotments and cottage gardens during the present year.

*(10.1.) MR. COBB: The hon. Gentleman the Secretary to the Local Government Board has spoken of the undesirability of treating this as a Party question, and, having said that, he proceeded to make one of the most extravagant Party attacks that could have been made on the right hon. Gentleman the Member for Derby. I have not had much experience of this House, and can only judge from what I have seen and heard during the time I have been a Member of this Assembly, since 1885, and when the Secretary of the Local Government Board says the right hon. Gentleman the Member for Derby only began to take an interest in the allotments question in 1885, when the agricultural labourer first obtained his Parliamentary vote, I would remind the hon. Gentleman that it is better to have taken an interest in the question so late as 1885 than, when a measure is brought forward in 1886, to vote against the interests of the labouring classes as the hon. Gentleman the Secretary to the Local Government Board did. But that is not all. It was said that no attempt was made on this side of the House to do anything for the agricultural labourer in the shape of obtaining an Allotments Bill. The fact is that in 1886, when we were on that side of the House, the hon. Member for Bordesley (Mr. J. Collings), who then sat for Ipswich, had, as the spokesman of the Party he has since left, brought in a Bill containing valuable provisions, which Bill, in the absence of the hon. Member, was introduced by the hon. Member for Ilkeston. What then happened? The right hon. Gentleman the Member for Derby made a strong speech in support of that Bill. He said he thought the subject was so large and important that it was better it should be dealt with by the responsible Government. [*Laughter from the Ministerial Benches.*] Hon. Members opposite laugh, but I will tell them what took place. At that time the Government of the hon. Member for Mid Lothian was in power, and that right hon. Gentleman gave urgent and definite instructions to my Friend the hon. Member for Bordesley, who took up——

(10.5.) MR. J. COLLINGS (Birmingham, Bordesley): I beg to say that I never made any such statement.

MR. COBB: The hon. Member for Bordesley seems to know so well what has happened that I cannot but think he is aware that what I am going to say is true. The hon. Gentleman told me that the right hon. Gentleman the Member for Mid Lothian had instructed the right hon. Gentleman the Member for West Birmingham and the hon. Member for Bordesley to bring in an Allotments Bill for the agricultural labourers, and that the Bill was drawn and they were about to bring it in. That, I think, was about April, 1886, just before the hon. Mem-

ber vacated his seat. It was the fault, partly, of the right hon. Gentleman the Member for West Birmingham that that Bill was not introduced, because immediately afterwards he turned tail and left the Liberal Party on the question of Home Rule. It was he and his friends that caused the Home Rule Bill to stand in the way of the adoption of the Allotments Bill. The hon. Member for South-East Essex has said he always held that the Act of 1887 was a wretched measure; but on the 12th August, 1887, the hon. Gentleman said, "I believe the agricultural labourers are perfectly satisfied with the Bill as it now stands." He also said he had brought in a Bill, in 1888, upon which was the name of the hon. Gentleman the Member for Bordesley, to amend the Act of 1887. That was so, but the Bill was almost entirely copied from the Bill which had been introduced earlier in the Session by myself. The Bill of 1887 was introduced by the Conservative Government, solely in consequence of the Spalding election, and the hon. Members for South-East Essex and Bordesley had an opportunity during the whole of the Session of 1888 of introducing their Bill, but they neglected to do so until many months after I had introduced my Bill. It is extraordinary that they did not introduce their Bill until after the Southampton and Ayr Burghs elections, and I cannot but think that the great and important changes announced to-night in the amending Bill now brought in by the President of the Local Government Board have, to some extent, been brought about by the result of the Stamford election. In common with others on this side of the House I shall not oppose the Second Reading of the Bill, but I would join in the request made to the President of the Local Government Board, for an authentic Return of the number of Sanitary Authorities who are the landlords of labourers holding allotments. We do not care to take the figures of the Rural Labourers' League. We know it is a respectable body, but we have not much confidence in it; as we find that all the Vice Presidents, and nearly all the Committee, who are Members of this House, almost always vote against measures for the benefit of the agricultural labourer. This Bill relates almost entirely to the amendment of the compulsory powers of the Act of 1887. We have had to-night two opinions from the Treasury Bench in reference to the question of compulsory powers. Early in the evening the Secretary for Ireland used all the arguments he could employ against compulsion, while the President of the Local Government Board has shown his inclination for compulsion by trying to amend the compulsory powers of the Act of 1887. I wonder if the latter right hon. Gentleman remembers the warning we gave him as to the working of the compulsory clauses of that Act, when the Bill was before Committee. I well remember how lightly he then treated our objections. He now says that he never sneered at Vestries, but if he will refer to his speech on the former Allotments Bill, he will see that he did sneer at them.

*MR. RITCHIE: Will the hon. Gentleman repeat my words?

*MR. COBB: I do not happen to have them by me at this moment. I should like the House to hear his words after what he has said of the manner in which the Act has worked. On the 12th August, 1887, the right hon. Gentleman said

> "Whether you look upon this as a voluntary question, or whether you regard it in connection with cases where compulsory powers are necessary, the machinery will be found to be simple, effective, and speedy in its operation."

The right hon. Gentleman will not say that to-day. I understand the right hon. Gentleman now sees his error.

*MR. RITCHIE: Not at all.

*MR. COBB: If he does not see his error why in the world is he wasting the time of the House by bringing in this Bill? But he made another statement, also upon compulsion:—

> "But supposing that compulsion were necessary, and the complicated machinery resorted to, it has not been found in connection with other matters in which land is compulsorily acquired that any difficulty is experienced."

What becomes of his opinion? If that be correct we do not want this Bill at all. If compulsory powers would be easy in their operation why should the right hon. Gentleman throw on the County Council further duties when, not five minutes ago, he cheered the statement that they had already too much to do? The compulsory clauses, at all events, have been a total and absolute failure.

We have been told to-night, and often before, that there has not been one instance in which the compulsory clauses have been put into operation. At the beginning of last Session the right hon. Gentleman said there had been two applications for Provisional Orders, but the expense of the procedure was so great that the Authorities felt they would be doing wrong to burden the ratepayers, besides which the interest on the purchase money would be so great that the labourers would not take the allotments at the rents which would have been necessary. I should like to give two instances of the working of this Act by Boards of Guardians or Rural Sanitary Authorities. In January, 1888, four months after the Act of 1887 was passed, the labourers of Farnborough and Mollington, two small villages, applied to the Rural Sanitary Authority of Banbury to provide them with land for allotments. Nearly the whole of the suitable land in those two villages belonged to Archdeacon Holbech, for whom I have the utmost respect, but who seems to have limited views with regard to allotments. Archdeacon Holbech has over and over again expressed the view that two chains, or one-fifth of an acre, is the utmost quantity of land which a labouring man can possibly work. He declined to grant any more land. The Local Authority, who possess a very active chairman, knowing their business, calculated what the cost would be of obtaining compulsory powers and compelling this Archdeacon to do his duty, and they found that the expenses would be so great that the rent for the land would be higher than the labourers could pay.

*MR. RITCHIE: Has the hon. Gentleman got any figures in the case of the Banbury Authority, who found the cost so great?

*MR. COBB: I have no figures, and I can only refer the right hon. Gentleman to the *Banbury Guardian*, slips from which, if I remember rightly, I had the honour of sending the right hon. Gentleman. I admit freely that the right hon. Gentleman has done his best to make Boards of Guardians do their duty, but I am not sure that in this case the Board of Guardians did not do their duty better by abstaining from the exercise of compulsion, because they found that the rent of the allotments would be too heavy for the labourers. Hon. Members on the other side of the House have said so, too, and it is notorious all over the county. Now, as to the question of delay. I will give the House a case which came before the Rugby Board of Guardians relating to a village called Crick, which is in the constituency of my hon. Friend the Member for one of the Divisions of Northamptonshire. In November, 1887, two months after the passing of the Act, the Crick labourers applied for land for allotments. The Local Authority at Rugby comprises some very good men of business. They very properly appointed a Committee on the 5th December, 1887, to confer with the labourers. That Committee reported that there was a demand for 30 acres, and that there was no chance of any voluntary arrangement between the landowners and the labourers, and they advised that negotiations with the landowners should be commenced. They had to negotiate with a clergyman, the Rev. Henry Lister; and, finally, when the negotiations failed, and he would not grant the land voluntarily, they thought about putting the compulsory powers in force. A clergyman on the Board, the Guardian for Crick, reported that there were 36 men in the village out of employment and wanting allotments. On the 12th March, a month afterwards, an amendment was carried to the proposal to put the compulsory powers in force, that a definite answer should be obtained from the Rev. H. Lister. Mr. Mitchison, when this Amendment was carried said, "We are getting no further," whereupon the Chairman of the Board, who is also a clergyman, said "We do not mean to." I have no doubt that accurately represented the opinion of the majority of the Board. Nothing had been done in August, 1888, when one of the labourers wrote, "The workmen must have land or starve." Then he expressed a sentiment which I am afraid hon. Gentlemen opposite will not appreciate, "I hope the Liberals, when they come into power, will bring in a really good Allotments Bill." I hope they will; and if they do not, I will certainly join the hon. Members opposite in voting against them. On August 27th, 1888, it was resolved at last to put the compulsory powers in force. In October the usual

advertisements were published in the Rugby papers. The Clerk, a careful man of business, reported—just as the Banbury Clerk did—that a great expenditure would be incurred in putting the compulsory powers in force, and thereupon the Board ordered that no further proceedings should be taken. One of the members of the Board said that before they were a year older they would have simpler powers. He was alluding to the promise of the right hon. Gentleman the First Lord of the Treasury, who, in order to get rid of the Amendments moved on the Local Government Bill, pledged himself, without qualification, that a District Councils Bill should be brought in the Session of 1889. Another gentleman made the remark, the Rev. Dr. Gray—another parson; there are too many parsons on this Board—"It is possible that the craze may die out." That was the way in which the rev. gentleman looked at those compulsory powers to provide land for starving men. He waited for the time when the "craze" would cease to exist. Well, in the division I represent, there is a very popular nobleman—Lord Willoughby de Broke—who, in a speech he made in Warwickshire, pointed out what a great blessing the Allotments Act had been to the labourers in the village where he lives. I took the liberty of writing him that there had not been a single case in the village to which he referred in which an inch of land had been obtained under the Allotments Act. Lord Willoughby used exactly the same language about the Act having stimulated the landlords to give allotments. Then I was obliged to point out that Lord Willoughby, I felt sure, being the principal landlord, required no stimulus, and I felt sure he would have given the labourers allotments years and years before, but he had not. As to the great interest of county gentlemen in allotments, I have the misfortune to be the only Member for the County of Warwick on this side of the House, and I look in vain for the three other Members, who sometimes sit on the other side. They are all county gentlemen; I believe they are all landowners. When the Allotments Act was discussed in 1887 one hon. Gentleman was here for one night; the other two were never here during the whole discussion. I ask hon. Gentlemen opposite whether that sort of abstention from duty is likely to increase the idea which is put forward so strongly to-night, that county gentlemen of England do really wish that the men should have allotments. The hon. Member for Somersetshire alluded to the labourers of that county, who cannot get allotments from the Sanitary Authorities. We pointed all this out and a great deal more when the Bill of 1887 was introduced, and we took a number of Divisions, and what did we get for our pains? The hon. Member for the Bordesley Division, who at that time had become a full blown Member of the Tory Party, spoke of us and of myself in particular, as "the newly-found friends of the agricultural labourer." But in 1885, speaking on my behalf at a meeting in Warwickshire, the hon. Member for Bordesley (Mr. Jesse Collings) said that the labourers might depend upon me to look after their interest because he knew I had been brought up in the wish to do so. Therefore, I think it was rather hard of my hon. Friend, in conjunction with the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), to call me a newly-found friend of the agricultural labourer. But a newly-found friend is better than a newly-found enemy. In saying that I refer more to the right. hon. Gentleman the Member for West Birmingham than to my hon. Friend the Member for Bordesley. I am glad the right hon. Gentleman (Mr. Ritchie) has altered the Bill to the extent he has done, but I hope that some member of the Government will tell us the meaning of the 3rd clause. If it means that the County Council are to begin all over again, it means that there will have to be two local inquiries before the Act is put into operation. In 1887 a prominent member of the Government said that the county was too large an area to which to give the acquisition and the management of allotments. I agree with that. The county being too large and the Board of Guardians being an improper Authority, when the Bill is read a second time I shall put down an instruction to amend it, so that the Authority may be altered, and that the management and control of allotments may be placed in the hands of a popularly elected body over a smaller area than that of the Rural Sanitary

Authority—namely, the Parish Council. I believe that what the labourers want in this country is not to have any individual relations between themselves and the landlord. I believe it would be better for them, and better for the landlords and everybody else, if every allotment in the country was owned or leased by an Authority elected by the people, so that the people might themselves, at any rate, have some voice in the choice of their landlords, and that if their landlords misbehaved themselves they might put in others who would behave themselves better. The right hon. Gentleman (Mr. Ritchie) laughs, but as certain as he is sitting there that will be done some day.

(10.33.) MR. C. W. GRAY (Essex, Maldon): I am always very glad when a question is discussed which is of interest to the agricultural labourers of England, who are perhaps rather neglected in this respect. I am glad this question has been treated, not by all but by many of the Members who have spoken, in a fair and frank manner, and without resort to electioneering tactics. I fail to understand the charge made by one or two hon. Members opposite, who seem to intimate that either the farmers or landlords of England have objections to the labourers having small plots of land. As far as my own experience goes that is not the case, and they would only be too glad to see thorough facilities given in that direction. We know perfectly well that a large plot of land is not workable by a man who has to work for his master all day long, but we should support any legislation that is fair and reasonable, and that would enable the agricultural labourers to spend an hour or two in the evening upon an allotment or cottage garden. The man who works in that way will not, at all events, be wasting his time at the public-house, and many of the cottages have not the amount of garden accommodation they ought to have. It is unfair to say that landlords or farmers, as a class, are opposed to any reasonable legislation on this subject. In my own neighbourhood the labourers have got allotments by voluntary arrangement with the landlord, and, argue as we may, I am sure it is very much better that this should be the case. If we try to legislate for compulsory acquirement of land we shall have to encounter the difficulty and trouble of setting up expensive machinery, which will result in causing the land to be too highly rented to make it worth while for the labourer to cultivate it. I welcome the Bill we are now discussing as another step in the right direction. I am not satisfied with the existing Act, which leaves a good deal for improvement, although it is certainly not accurate to say that it has been of no use. I think there is room for this additional measure, and I hope that other steps will be taken in the same direction.

(10.36.) MR. COLLINGS: I am extremely glad to welcome any step, whether small or great, towards the realisation of the hopes of the labourers with regard to allotments, and I think I may claim the agreement of all the House when I say that the present President and Secretary of the Local Government Board have, by their sympathy with this movement, advanced it to a very large extent during their tenure of office. We have heard some curious speeches on this side of the House. It is said that nothing brings such acute suffering to men as the contemplation of their neglected opportunities, and it is positively touching to see the discomfort and agony manifested by some hon. Members on this side of the House when we contemplate hon. Members on the other side doing work which they have neglected. The bulk of their speeches have been aimed in the first place at explaining away that neglect, and, secondly, at proving that what has been done by others than themselves is of little worth. This Bill has been described as waste paper, and the hon. Member for Rugby (Mr. Cobb) has called it a wretched Bill. If that be so, why does not the hon. Member vote against it? If it be a wretched Bill surely it ought to be opposed, but hon. Members know that such talk as that with regard to this Bill, and similar talk with regard to the Bill of 1887, will not go down with those who are most concerned. The hon. Member for Rugby has made a statement, once in print, and again in this House to-night, about some cock-and-bull story as to a Bill to be prepared by the late Government. It is not my duty to say anything about what was being done by the late Government, but the memory of the hon. Member does not serve him when he makes that statement.

*MR. COBB: I would remind the hon. Member that I made the statement in

this House in his presence on a previous occasion, and he did not deny it, and before I did so I submitted it to the President of the Tysoe Allotments Association, who confirmed every word of what I said.

MR. COLLINGS: I do not know whom the hon. Member submitted it to. I only state, of my own knowledge. the facts which relate to myself, and with regard to that I adhere to my position. The Conservative Government was turned out at the end of January, on the Allotments Question, and within less than a month the new Government came in and made their statement, in which there was not a word of reference to allotments. I was a very humble member of the Government.

An hon. MEMBER: Why did you not resign?

MR. JESSE COLLINGS: Everyone knows that a subordinate Member, such as a Secretary of a Department, is not a Cabinet Minister, and therefore does not know the policy of the Cabinet as to the date of the introduction of the Allotments Bill. There was another measure sprung on the House and the country, which put all Allotments Bills and everything of that kind aside permanently, and it is simply playing with words to talk about the late Government having an Allotments Bill ready.

*MR. COBB: I would ask whether the hon. Gentleman denies that the Member for West Birmingham, as President of the Local Government Board, received instructions from the Prime Minister to draw up a Local Government Bill containing large powers with reference to allotments?

MR. JESSE COLLINGS: That is a question which it is proper neither to ask or to answer. Hon. Members have asked why the Member for West Birmingham is not present. The right hon. Gentleman is engaged with his constituents, and the Government do not require assistance to pass the Bill, because they will have the assistance of hon. Gentlemen on the Opposition side of the House. The hon. Member for the Rugby Division talked of the numerous and valuable Amendments to the Bill of 1887. Numerous they were, no doubt, but their value was not so obvious. The hon. Member himself moved an Amendment that the Bill should cease to be in operation in 1889, and another hon. Member moved that burial-grounds should not be taken for allotments. Those are samples of the large number of Amendments which occupied the time of the House. The fact is that hon. Members were so enamoured of the Bill that they almost killed it in their embraces. I remember, on August 18, there were 17 pages of Amendments down on the Paper; and on the next night, though many Amendments had been disposed of, there were again 17 pages. On the last day of Committee there were 15 pages of Amendments; and it was only due to the express determination of the Government and the threat of the Closure that the Bill was passed at all. A large proportion of the speeches that have been made have had reference to the Act of 1887. No one pretended that it was a perfect measure. There are very few Acts of Parliament that are perfect; and if cases of the failure of this Act are to be brought forward I could mention scores of cases on the other side where there have been successes. It is impossible to fully estimate the actual working of the Act of 1887; but there is positive proof that its effect has been enormous. Putting aside all the cases where it may be supposed that the land would have been supplied without the Act, it is found that above 2,000 acres have been given by the indirect effect of the Act, and between 4,000 and 5,000 men supplied with allotments. As to those directly supplied by the Local Authorities, though the estimate of 1,800 put forward by hon. Members is true for last September, it is much under the mark now; and between 2,000 and 3,000 men have been assisted to allotments by the Local Authorities. Therefore, though the Act has only been in existence for 18 months, more than 8,000 men have benefited by it, and it is therefore unfair to call the Act a sham and a delusion. There is weekly evidence of the increase of the operation of the Act; but I sympathise with hon. Members who are bound to minimise the legislation which their opponents have passed, and which they have neglected to pass. I know the difficulties of their position, and would make every allowance for them; but I beg of them not to make the labourer suffer for Party exigencies. That is the only thing I ask them; and I am glad, therefore, to hear that the extreme affection which was shown for the Allot-

ments Act of 1887—an affection which would have caused the measure its life but for our interposition—is not to be exercised in regard to the present Bill. I have said, in this House and out of it, that a compulsory clause once passed will be very rarely used, and I said this when many hon. Members who criticise me now had yet to learn what an allotment was. They speak of the Act of 1887 as though it were only composed of compulsory clauses; but surely the voluntary clauses are as important a part of the Bill. If the voluntary clauses work well and smoothly they will answer every purpose save that of Party interest. The one great defect of the Act of 1887 was the absence of a Court of Appeal; but by the Bill before the House, and especially by the Amendments promised by the President of the Local Government Board, this defect will be remedied by giving a cheap and, I venture to say, an effective Court of Appeal. That the County Council will be an effective and sympathetic Court of Appeal we have abundant evidence already. Take the action of the Member for North-East Norfolk (Sir E. Birkbeck), for instance. See what he has done on the County Council of his district, taking the question from the Sanitary Authority to the County Council. You can multiply that case throughout the country, and will see what a sympathetic tribunal you will have for the appeal. What we contend is that the Act of 1887, though not free from defects, has been more attended by successful results than almost any Act of Parliament of the kind during the time it has been in existence. I have dates and facts for this assertion, and I can prove them if challenged. I will not allude to the discourteous or rash remarks of the hon. Member for Wellingborough. I do not think they matter much; therefore, I will pass them over, but they show to what straits hon. Gentlemen are put. As to the remarks which have been made about the action of the Government with regard to allotments, it must be admitted that while the present Government did not promise they performed, and while the late Government promised they did not perform. The agricultural labourers understand matters, and they will not be so foolish as to throw away or to lose a bird in the hand for one in the bush. If I may give advice to hon. Members—they give me plenty—it is to spend some of the energy which they now expend in going up and down the country declaring the Allotments Act a sham and a delusion in the effort to turn the Act to account and to get the land for the men. That is what the rural Labourers' League has been doing, and it has got for the men thousands of acres, but not by bullying or raising Party feeling. Not very long ago I heard a stump orator holding forth to an audience of Devonshire labourers, and proving to his own satisfaction that they would never obtain allotments. The gentleman did not understand why his audience were on the broad grin all the time. The fact is that a week or a fortnight before, within a gunshot of where the gentleman was speaking, each men had obtained as much land as he required. This is what is going on in the country—men are making this a mere political question, instead of one for the labourers.

MR. WINTERBOTHAM: Will the hon. Gentleman state where this was?

MR. JESSE COLLINGS: It was in Devonshire, in the neighbouring parish to my own. As one who has taken some part in this question, as one who has advocated it when there were found only one or two on either side of the House to take any notice of it, I from my heart thank the Government, and particularly the President of the Local Government Board and his coadjutor, for the full sympathy they have shown for the labourers. The hon. Member for the Rugby Division (Mr. Cobb) has talked of turning Tory—I sympathise with him—if the Liberal Party does not deal with allotments. But what does he say of me? That I am turning Tory by supporting the Government because the Liberals will not deal with allotments. The hon. Gentleman now says that he will turn against the Liberals if they do not deal with allotments when they should happen to come into power. He knows perfectly well that the Liberal Government, if it ever sees existence, is pledged up to the eyes, as solemnly as men can be pledged, to bring forward a question which will occupy not one Session or two Sessions, perhaps, not one General Election but two General Elections. He knows that the result must be that the question of allotments must be postponed indefinitely, and will never be dealt with until the

Irish Question is settled. I intend, in this matter, to assist the present Government regardless of Party, because they are not content with making promises, but give practical proof of their sincerity. I shall not support a Party who, whilst they ask for votes in order to carry legislation on agricultural and educational questions, know well that the power which those votes will give them will be used to push through this House their scheme of legislation for Ireland.

*(11.7.) MR. STANSFELD (Halifax): The hon. Member for the Bordesley Division (Mr Jesse Collings) has curious notions of proportion and official propriety. It is true that in 1886 the hon. Member moved the Amendment to the Address in favour of allotments, and that upon that Amendment Parties changed sides. The hon. Member would therefore have the House believe that he had a right to dictate to the Government that came into power not only what should be their policy but even the order of their proceedings. Such is the hon. Member's notion of proportion. Has he ever heard of the fly on the wheel? Why, the change of Parties did not take place upon the question of allotments in reality. Everybody knows that on the occasion of Amendments to the Address Parties divide with reference to their natural divisions and their natural antagonisms. In fact, they take advantage of opportunities of that kind. [*Laughter and cries of* "Oh" *from the Ministerial Benches.*] Why this assumption of innocence? The whole history of debates on the Address points in the direction which I have indicated; and if the Opposition can put the Party in power in a minority by an Amendment on the Address they do so. The hon. Member would be entitled to say that a Party coming into power on an Amendment on the question of allotments were morally and honourably bound to take that question up; but when it comes to that question we see his peculiar notion of official propriety. He thinks it perfectly justifiable to turn round against the Party of which, as he tells us, he was a humble Member, and which he joined after the memorable Division, and to accuse them of not carrying out the policy which the Amendment foreshadowed. I ask him, did he make terms when he took office that the question should be dealt with on a particular day?

MR. JESSE COLLINGS: As I am directly appealed to, let me say I did not think it necessary to make terms with reference to that which before the world and this House was an honourable agreement and understanding.

*MR. STANSFELD: I take that answer. He joined the Government that came into power, and he has been asked, "Did you receive in your Department instructions to frame a measure dealing with this very question?" That question the hon. Member does not feel at liberty to answer. [MR. JESSE COLLINGS: I could answer it.] The hon. Member can turn against the Government which he joined; but it is not in accordance with his notions of official propriety to say what instructions he received at the time. Now, the Secretary to the Local Government Board made a statement of a rather extraordinary nature when he said he was not prepared to offer to the House any figures concerning the number of allotments which have been provided in consequence of the Act of 1887, because he has no power to call for the Returns.

*MR. LONG: I beg pardon. I said we were not prepared to give any figures with regard to the allotments by voluntary arrangement with the Sanitary Authorities, which, as we contend, has been the outcome of the Act.

*MR. STANSFELD: I understand the hon. Gentleman to say that he excluded cases where there had been voluntary arrangements in consequence of the action taken by the Sanitary Authorities.

*MR. LONG: The hon. Gentleman knows better than I do that the Sanitary Authorities only appealed to the Local Government Board, and their action only becomes known to the Local Government Board when a loan was contracted. Otherwise the Board have no knowledge, and can obtain no knowledge, of their proceedings in any way.

*MR. STANSFELD: That brings me to my point. I say that nothing could have been more easy than for the Local Government Board to address a Circular to the Sanitary Authorities requesting them to furnish particulars of any allotments which have come to their knowledge, or to which they had been a party. Such a request would, as a matter

of course, have been complied with. But the hon. Gentleman has referred to a Return about to be issued by the Minister for Agriculture. It is not of importance to us from what Department it issues; but we require a clear understanding what the Return shall contain. What we want, and what we shall expect before the Bill proceeds in Committee, is this: We desire to know what has been the operation of the Act. That is the question of the moment. We do not merely want to know the number of allotments granted. Why, the hon. Member for East Somerset (Mr. Hobhouse), speaking some time ago, said the total number of allotments since the Act was passed, being compared with the number previously provided, would in the difference of totals give the measure of the operation of the Act; but there is no justification for a proposition of that kind, for who can say what other causes may have been in operation in the same direction? What we expect is not a mere catalogue of allotments, but information throwing such light upon the question that we can understand in what way the Act has operated, how far it has operated, and how far it has not. Nobody will deny that the Act has worked as a stimulant. The right hon. Gentleman himself has practically said the effect of the Act has been as a stimulant, and that it has produced a large crop of allotments by indirect action.

*MR. RITCHIE: By voluntary arrangement.

*MR. STANSFELD: That was the point of his argument. He not only said that, but he also very frankly acknowledged that he looked forward to District Councils in the future to be constituted and elected on a popular basis of democratic household suffrage, and the protection of ballot as the proper Body to whom this function of dealing with allotments should be committed. Well, but that is the condemnation of the present system. Now he urges that he could not help himself; but he admits that the Boards of Guardians with their paper voting, property qualification, and without the protection of the ballot, are not the Body from whom proper consideration of this question of allotments can be expected. We believe that such a question can only be fairly dealt with by a popularly-elected and Representative Body within a comparatively small area within each county. The right hon. Gentleman has given indication of an Amendment to the second section of the Bill. As it at present runs, the County Council, on *primâ facie* evidence of the facts stated in the petition directed to show that a Sanitary Authority has failed in its duty, may cause a local inquiry to be made; and, if satisfied, may inform the Sanitary Authority of their decision, and require the Sanitary Authority, within a time, not exceeding six months, to take proceedings under the Act; and if at the expiration of that time the Sanitary Authority does not act power lapses to the County Council. Now the right hon. Gentleman has, on the whole, been congratulated on his proposed Amendment; but I cannot say that I am prepared at this moment—I do not know what more can be said in its favour—to join in those congratulations, and I will tell him why. My expectation is this: that if the County Council under this Act find that to lend a willing ear to the petition of the labourers saying that the Sanitary Authorities have refused, or neglected, to deal with their demands, if the County Council comes to know, as they will know by this Amendment, that to listen to this request will *ipso facto* deprive the Sanitary Authority of their power, my expectation is that they will decline to exercise that power. As the Bill stands, it comes to this: that if the County Council come to a decision unfavourable to the action of the Sanitary Authority the latter will be in a position of *locus pœnitentiæ*. But with the proposed Amendment the transfer of powers would take place at once, and my belief is that the Bill will in this way be less operative than at present. Now, the hon. Baronet opposite (Sir W. Barttelot) said, if I understood him rightly, that we prevented the constitution of District Councils. He suggested that the right hon. Gentleman, when he introduced the Local Government Bill, would have passed the District Council clauses if it had not been for the obstruction or opposition, whichever he called it, of Members on this side. I wish the hon. Gentleman were here, for I should be sorry to misrepresent him. Assuming this is what he meant, I say it is entirely mistaken. It is matter of knowledge that we supported the Bill; we did not merely give it negative fair-play; we gave it that positive help without which it would not

have passed; we gave it help when hon. Gentlemen opposite did not like it. The hon. Baronet himself did not like it, and many others were dissatisfied with and afraid of it. It was our active help that enabled the right hon. Gentleman to pass his Bill. To our assistance he appealed at the commencement of the proceedings, and that assistance he acknowledged at the end. It is not fair, it is not just, for Members of the Conservative Party to take upon themselves to suggest that so far from helping we obstructed the measure, and that it was carried in spite of our opposition. My right hon. Friend (Sir W. Harcourt) has been a good deal criticised by speakers on the other side of the House, but there is one thing which he has done to-night to which I would call attention and place prominently before the House. He has stated so clearly that it will be impossible henceforward to disguise the issue—the difference between us as a Party and hon. Gentlemen opposite. It is not a question of compulsion or no compulsion. I suppose we are all of opinion that we would do without compulsion if we could. That is not the essence of the difference between us. You say better leave this matter to voluntary action subject to the additional stimulus of the Act, but not so much to the operation of the Act itself. But that is not our position. We hold most distinctly that it is of advantage —of essential advantage—and necessary that there shall be popularly-elected representative Bodies in small areas, districts or parishes, which shall have the right to acquire land, to buy and hire land in order to sell the land or let the land to inhabitants in those areas. We do not want action to be confined to stimulating landlords to provide allotments. We could illustrate our position by reference to the well-known instances of the Swiss Communes, but I do not know that we need go so far because they have a great deal of common property that we have not in our villages; but I say we hold the strong and positive opinion that it is desirable in the future, subject to such regulations and restrictions as experience may suggest, to confer on small Local Bodies down to fair sized parishes the right and power to invest money in land for the community. There is this broad distinction between us. We have more extensive and advanced notions of local government in small areas than have the Conservative Party. We may be right, or you may be right; but there is this broad difference, and my right hon. Friend has done good service in setting this out with the weight of his authority and language, to prevent this ever been confused or forgotten in time to come. We are indebted to him for the course he took to-night. We applaud, approve, and endorse his statement, and shall be prepared in the future to abide by the policy he has declared.

(11.35.) THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The right hon. Gentleman who has just sat down commenced his observations with the enunciation of a new and somewhat startling doctrine. We were told that when a Government is turned out of power by a Vote of Censure on a definite and substantive question mentioned in the Address in Answer to the Gracious Speech from the Throne, the votes given on such an occasion, by which the Government are turned out, are not to be held to mean what naturally they would mean; and although, on that particular occasion, the Government were distinctly censured by a virtuous Opposition for neglect of duty, yet that implied no obligation on the Party coming into power.

*MR. STANSFELD: The right hon. Gentleman should not misunderstand me. I did not say that. The distinction I drew was that the hon. Member for the Bordesley Division was wrong in supposing that the incident of a majority turning out a Government entailed upon the Government coming in the duty of making legislation on that subject a primary duty before any other subject. I said it was an important duty to take up that subject, but not necessarily the first and primary duty.

MR. CHAPLIN: With the exception of the addition that it does not entail a "primary" duty, the explanation, it seems to me, amounts to making a distinction without a difference between the view now expressed and that which I attributed to the right hon. Gentleman. In the whole of my Parliamentary experience I never recollect a case where a more distinct duty was imposed on a Government than that imposed on the Government succeeding in 1885 to deal with the allotments question, a duty

which, so far as my memory serves me, hon. and right hon. Gentlemen opposite have neglected from that day to this. I confess I had hoped that this debate might have been conducted with an entire absence of Party feeling; but the opportunity apparently offered an opportunity for indulging in Party opinions, which the right hon. Gentleman the Member for Derby found irresistible, and, accordingly, some time ago we were informed that the Bill is worthless, utterly insignificant, contemptible, wretched, and altogether useless; and that being the opinion of the right hon. Gentleman, I venture to say it is somewhat curious to observe that hon. and right hon. Gentlemen opposite are all going to vote for the Second Reading, and thereby to aid and abet the Government in a still further waste of time which the right hon. Gentleman condemns so severely and, I think, so groundlessly at the same time. The hon. Member for the Rugby Division (Mr. Cobb), greatly exulting in superior virtue over the more peccant Members who represent the County of Warwick, succeeded in discovering a most remarkable mare's nest. He has discovered the real and true origin of the Bill before us to-night and also of the Bill introduced in 1887. That Bill, he said, was occasioned by the Spalding election, and this Bill is due to nothing but the Stamford election. Unfortunately for the accuracy of the hon. Member, I recollect something more about the Bill than he appears to do. In the first place, the Bill of 1887 was mentioned in the Speech from the Throne addressed to Parliament in the month of February, 1887, and the Spalding election took place in the month of June of that year. I cannot, then, see upon these dates how the result of the Spalding election can be said to have influenced the intention of the Government in regard to allotments, for I suppose even the right hon. Gentleman the Member for Derby will hardly accuse a Conservative Government of deliberately inserting in the Speech from the Throne a subject they have no intention whatever of dealing with under whatever circumstances may arise. Well, how the hon. Member can advance such an opinion as he has expressed, I confess I am at a loss to understand. And how does the case stand in regard to the present Bill, which the hon. Member traces to the result of the Stamford election? Perhaps I can hardly expect him to take my word for it; but I can assure him that I read the Bill in print, exactly in its present form, several months before the Stamford election. The determination to introduce the Bill was arrived at long before there was an election at Stamford, and, unless my memory altogether deceives me, it was introduced and circulated many months before the election occurred.

SIR W. HARCOURT: There was the North Bucks election.

MR. CHAPLIN: That occurred before the Session commenced. What I am saying is to meet the allegation of the hon. Member for Rugby, that the introduction of the Bill was due to the Stamford election. Then the hon. Member has asked me to explain the 3rd section of the 3rd clause in this Bill, and I understand that he is in some doubt whether the County Council are to make one inquiry or two inquiries before proceeding to deal with the question. The effect of the clause, amended as my right hon. Friend proposes, will be perfectly simple. The duty of the County Council, under the circumstances, will be to make one inquiry; and if satisfied by that that the land is required for allotments, then they will proceed to action under the powers which will be transferred from the Sanitary Authorities and placed in their hands. Then I have been asked many questions as to the new Return; and if I had anticipated that this debate would have occurred so early, I would have prepared myself with a copy of the Return and would have given full information. A Return was prepared a considerable time ago by my instructions, though I am unable to state at the moment all it contains, but, generally speaking, it will give full and the latest information in regard to allotments. The right hon. Gentleman the Member for Derby positively gloated over the confession of failure he declared was indicated by the introduction of this Bill, which, he repeated, was only introduced after bye-elections had occurred. Now, let me point out that in making this statement he was not only grossly inaccurate, but he was doing some of us very considerable injustice. True, I was not a Member of the Government at the time; but, unless I am altogether at sea, I was the first Member in the Session, after the Allotments Bill was carried into law, to point out that the Bill had in some

respects failed to answer expectations formed of it, and that the failure was owing to the fact that Local Authorities had been backward in their duty and in taking those steps to make it thoroughly effective. Be that as it may, there is no doubt on this point, and we have no desire to minimise or conceal it, that the Bill has not in all cases had the effect we anticipated from it. That being so, is it possible for the Government to give a better earnest of their intention on the subject than to take the first opportunity to do what we now propose to do; that is, by fresh legislation to place matters in the hands of a perfectly representative authority? No new measure is at first completely successful, especially when it deals with matters which have not been the subject of legislation before, as is the case with this question of allotments. I think it is most unreasonable to expect that the first attempt at legislation should prove to be complete and perfect in all its arrangements so as not to require any amendment in the future. But whatever measure we had introduced on the subject, whatever measure had become law under our auspices, one thing is perfectly certain, that it never would have given satisfaction to the right hon. Gentleman. We may give them credit for agreeing in our object to provide greater facilities throughout England for labourers acquiring land for these purposes; but I suspect we differ most entirely so far as I can judge from speeches, and are likely to continue to differ, as to the method by which that object is to be accomplished. We, on the one hand, believe that the best mode of providing land for the purpose is by voluntary means and mutual agreement between the landlords on the one side and the labourers directly on the other, which, in my opinion, is the best means of all; and failing that, by mutual agreement between the landlords and the Local Authorities. Hon. and right hon. Gentlemen opposite, so far as I can gather from their speeches, take an entirely different view of the situation. Voluntary means? Nothing of the kind. Mutual agreement? The last thing they will hear of. Voluntary means and mutual agreement lead to nothing, say hon. Gentlemen opposite, but the basest and grossest intimidation on the part of landlords. What labourers want, they tell us, is this:—"We do not want the land held under landlords; what we do want is land held under the ratepayers as our landlord; we desire complete independence. But whatever method is adopted, the land shall be taken by compulsion. With nothing less than that will we be satisfied."

SIR W. HARCOURT: Certainly not. [*Cries of* "No."]

MR. CHAPLIN: Well, I am glad to hear these denials; but if hon. Gentlemen had listened as closely and attentively to the speeches as I have, they would have heard this note throughout them all. [*Cries of* "No."] Well, I am delighted that two right hon. Gentlemen opposite are no longer believers in compulsion.

SIR W. HARCOURT: May I be allowed to point out the distinction? We do not in the least insist on compulsion; what we want is that the land, whether by agreement or otherwise, should become the property of the popular authorities from whom the tenants will hold it. We do not insist on, or desire, compulsion.

MR. CHAPLIN: I am glad to hear the right hon. Gentleman's views are somewhat modified. I gather from the interruption, of which I make no complaint, that I was mistaken, and that the right hon. Gentleman is not so much in favour of compulsion as some of his friends are. Let me refer to two or three particular objections to compulsion. In the first place, I am quite certain that it must lead to greater cost in the acquisition of the land. It is not necessary to argue that. In the second place, it involves in most cases necessary dispossession of others from the land they occupy, and if the people who now hold the land happen to be farmers who are farming the land and spending much money on the land, immediately you are confronted with the question of tenant right due to them on leaving, which must be an additional element of cost to the future holders. Another thing that must not be forgotten is this—allotments, to be of practical use, must be as near as possible to the villages where the labourers live. The best land is generally near the villages, and if a farmer was to lose that he might say, "If you take that, I will give up the whole farm." That is a practical difficulty that must commend itself to hon. Members oppo-

site, and is not to be overlooked. But you say the labourers want to be absolutely independent, and to hold the land under a Public Authority, which is to be absolutely representative of the community, or, in other words, that the labourers would prefer to deal with Parish Boards rather than with the landlords with whom they have been connected for many years. That may be the view of hon. Gentlemen opposite, but I can only say that I have had experience and knowledge of labourers in my own county, and on estates in many other counties, and this experience leads me to differ absolutely and entirely from that view. I am as certain as I am of anything in my life that upon this point hon. and right hon. Gentlemen are absolutely wrong, and I will give them the reason at once. Suppose it may happen again, as unfortunately it has happened quite recently, that agricultural interests should be called upon to pass through a severe and continued period of depression, what is going to happen in that case? That will happen, which has frequently happened before, that in case after case, owing to no fault of their own, hundreds of these poor fellows will, when the time comes round, be unable to pay their rent, and will have to claim the sympathy and forbearance of their landlord, and ask for some remission of their rent. Under such circumstances, to whom would the labourers prefer to go? To the landlords, who through generations have been the best friends to the labourers, whom they can trust, and whose kindness they have often had occasion to recognise and rely upon. They cannot hope to have consideration from the Parish Board, the members of which, however kindly disposed they may be, however inclined to be generous, cannot indulge their feelings, because they are dealing with other people's property, and not their own. If the right hon. Gentleman opposite knew a little more about labourers he would know that there is nothing they dread so much as a Parish Board, or having business with a Parish Board. I do not doubt that some hon. and right hon. Gentlemen opposite would not be altogether sorry, for political purposes, if they were successful in stirring up feelings of hostility between landlords and labourers in this country, but I do not believe for a single moment that, in spite of all their efforts, they will succeed. Nothing will convince me that the labourers will not continue in the future, as they have in the past, to regard landlords, among whom they have lived for years, as better friends to them than any Parish Board. Time compels me to bring my observations to a close. It is not necessary for me to say much more. We yield to no section of hon. Members in the House in a desire to promote by every available means the object which I am glad to think we all have in common. It seems to me that hon. Members opposite have expressed considerable divergence in their views. I noticed that the right hon. Gentleman the Member for Derby, in one part of his speech, denounced the transfer of power to County Councils on the ground of the great difficulty it would give the labourers, the distances they might have to travel, and other inconveniences. But shortly afterwards up gets the hon. Member for Northamptonshire and says the only thing to make the Act really workable is to transfer power at one swoop to County Councils.

*Mr. CHANNING: I did not suggest that as the best Authority. I said it would save time and trouble as a temporary measure until we have Parish Councils.

Mr. CHAPLIN: Great differences of opinion have been displayed between individual Members on the other side. Nevertheless, there is more difference between us and them, and one of the greatest differences—which will be recognised inside and outside of the House—is, that while they talk a great deal on this subject both in the House of Commons and in the country, they do not act, but we do. We have endeavoured—successfully or not—to deal with the question on more than one occasion, and hon. Members may be assured of this, that we shall not rest on this side until we have been successful in what we hope will be a safe and simple means of obtaining the object we have in view, and in regard to which, I think, some of us have rather more knowledge than some of the right hon. Gentlemen, our critics.

*(11.50.) Sir J. SWINBURNE (Staffordshire, Lichfield): I beg to move the Adjournment of the Debate.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I must appeal to hon. Members to allow the debate now to close. I cannot consent to an adjournment, and claim to move that the Question be now put.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

SOUTH INDIAN RAILWAY PURCHASE BILL.—(No. 195.)

Order read, for resuming Adjourned Debate on Question [21st March], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*SIR G. CAMPBELL (Kirkcaldy, &c.): I do not want to oppose the passing of this Bill, but I do want some explanation in regard to it. The Bill gives power to the Government to acquire an important railway in India, and while I do not agree with the hon. Member for the City of London, who said he did not like such transfers, but, on the contrary, am strongly of opinion that these great lines of communication should be in the hands of the Government, I should like to know something about the principle of guaranteeing railways in the hands of private companies. Holding the opinion that it is desirable the Government in India should have the control of railways, I should like the Government also to construct the lines. But the course followed is this: the Government guarantee interest on a railway, and when the railway, in consequence of this guarantee, has gone up to a premium, then the Government buys up the railway. I admit at once that the policy laid down by that great statesman, Lord Dalhousie, has been justified by success, but now that the Government have the great machinery in their hands, and have the means of making railways, and can get the money for the construction on terms much cheaper than a company, I cannot see why the Government should sacrifice the interests of the people of India in order to put great premiums into the pockets of syndicates in the City of London. No better illustration could be found than this South of India line. This is not one of the great lines laid down by Lord Dalhousie in old days; this a modern line. It never has paid its expenses, or anything like it, and yet we are required to sanction the purchase of the line, and to pay a high premium for it. What is that premium? Looking at the price current of the line, I suppose it is some 30 per cent., and that is the sort of price the Government have to pay. Now, I could quite understand the adoption of a policy that required the Government should have the railways in their hands, and, pursuing that policy, the Government declared they would guarantee no more railways; but, it seems to me, an extraordinary and most disadvantageous course for the Government to take, going round on a sort of circle, continuing to guarantee new lines, and when thereby the line has been run up to a premium, stepping in and buying it. Since the South Indian Railway was constructed the Government have guaranteed a succession of other lines, the Midland line, for instance, forced upon them by a syndicate, and the Bengal and Nagpore line which never can pay its expenses. But we guarantee these lines, and, then when, in the interest of the State, it is thought desirable to buy, then we buy at a high premium. I think before this Bill is passed we ought to have some explanation of what is to be the policy in the future. Do the Government think it is desirable that the railways in India should be owned by the Government, as I presume they do, else why these proposals to buy? and if they do, then why do they continue the system of guarantees, which inevitably end in a large profit to the Company, and as great a loss to the people of India? The premium is solely due not to the profitableness of the lines, but to the guarantee given. I hope we may have some explanation.

*MR. W. H. SMITH: There is but a short time before I shall be compelled to resume my seat, so I will briefly reply, and say the policy of the Government is to construct railways in the cheapest possible manner for the people of India. No fresh guarantee is proposed under this Bill. The proposal is to carry out an arrangement by which an economy of £36,000 will be effected in the interest of the people of India. Under the conditions of the guarantee entered into in 1873, power was reserved to the Secre-

tary of State for India to terminate the guarantee in 1890, and purchase on terms there specified.

SIR G. CAMPBELL: What are they?

*MR. W. H. SMITH: It is to give effect to that power reserved to the Government, and to effect the economy I have mentioned, we ask the House to sanction the purchase. There is now no question of any new guarantee.

DR. TANNER: There are still a few minutes left, in which I think the right hon. Gentleman might have given us some better explanation. When the Bill was before the House last week it was clearly shown that though this line of railway is something stupendous in length, yet it has never yet paid its working expenses.

*MR. W. H. SMITH: It has paid 3 per cent. beyond working expenses.

DR. TANNER: And the guarantee is for 5 per cent.! And we are asked to assent to this job without any explanation. I am giving but an individual opinion, but I certainly think some better explanation should be forthcoming; that we should be put in possession of some facts in relation to the case. I have always taken exception to hurrying through business at this hour——

It being midnight, Mr. SPEAKER proceeded to interrupt the business.

Whereupon, Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question, "That the Bill be now read a second time," put accordingly, and agreed to.

Bill read a second time, and committed for Thursday.

ARMY ANNUAL BILL—(No. 194.)

Considered in Committee.

(In the Committee.)

Clause 7.

(12.8.) MR. A. O'CONNOR (Donegal, E.): The other evening I asked the Secretary of State for War if he would explain to the House the nature of the Indian Reserve, for which provision is made in this clause. The right hon. Gentleman then objected that it was not fair to ask him without notice, as the matter came rather within the province of the India Office. I wish now to ask if he can give the desired information?

*(12.9.) THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Yes; I am now prepared with the information. It is desirable with regard to military organisation in India to have the services of a reserve of officers in case of an emergency. It is therefore proposed to form an Indian Reserve, especially for commissariat and transport duties, and that Reserve will be composed of members of the Civil Service, police and Volunteer officers, private gentlemen, and retired officers. I think they will form a very useful body.

(12.11.) MR. A. O'CONNOR: But what will be the exact position of these gentlemen? Are they to be always available to be called out; will they be on the permanent strength of the Army; and will they be entitled to pensions?

*(12.12.) MR. E. STANHOPE: No; they will not be entitled to pensions; they will be more in the nature of Volunteers.

Clause agreed to.

*CAPTAIN VERNEY (Bucks, N.): I have an Amendment.

THE CHAIRMAN: Order, order! The Amendment of the hon. Member does not come within the scope of the Bill.

Bill reported without Amendment; to be read the third time to-morrow.

MERCHANT SHIPPING ACTS AMENDMENT BILL.—(No. 103.)

Considered in Committee, and reported; to be printed, as amended [Bill 200]; recommitted for Monday next.

HERRING FISHERY (SCOTLAND) ACT (1889) AMENDMENT BILL.—(No. 196.)

Bill read a second time, and committed for Thursday.

POOR LAW (IRELAND) RATING BILL. (No. 149.)

SECOND READING.

Motion made, and Question proposed, "That the Bill be now read a second time."

(12.16.) MR. SEXTON: I think we are entitled to ask for some explanation of the Bill which, as it stands, is a miracle of incompetent draughtsmanship. The second clause says the sum to be remitted shall be a sum equivalent to the sum which the terms of occupancy bears to the full year's rent. I imagine

it should be a sum which bears the same relation to a full year's rent as the term of occupancy bears to a full year. Another clause provides that the sum shall be refunded to the person who has received, not the person who paid, it, and another clause is altogether without meaning. The objects of the Bill may be meritorious; but if it is to find favour with the House it will have to be entirely re-cast.

(12.17.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): So far as the principle of the Bill is concerned, and that is I think the only matter which really concerns the House on the Second Reading, it appears to be a fair enough attempt to secure an equitable apportionment of the charges dealt with according to the period of occupation. I see no reason for opposing the principle of the Bill on behalf of the Government; but I am far from saying that the matters to which the hon. Member called attention are not worthy attention in Committee.

Question put, and agreed to.

Bill read a second time, and committed for Thursday next.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 80.)

Considered in Committee.

(In the Committee.)

Clause 7.

DR. TANNER: I beg now to move to report Progress.

*(12.23.) MR. RITCHIE: I think the hon. Member is rather inconsistent in his action. He has allowed us to get into Committee.

DR. TANNER: I promised to oppose the Bill on behalf of an hon. Member who is now absent, and I therefore feel bound to press my objection.

*(12.24.) MR. RITCHIE: If the hon. Member's objection is to any particular Amendment the matter can be raised on Report. I hope the hon. Member will act consistently and allow us to proceed.

DR. TANNER: I am not a Member of Her Majesty's Government, and accordingly when I make a promise I must stand by it.

MR. H. W. LAWSON (St. Pancras, W): May I remind the hon. Member for Mid Cork that the hon. Member in charge of this Bill has shown the utmost readiness to accept Amendments which we have thought it necessary to propose.

(12.25.) DR. TANNER: If I were at liberty to do so I would withdraw my objection; but having given a promise I am bound to keep it.

*MR. F. S. POWELL (Wigan): It comes to this then, that hon. Members can by proxy oppose progress being made with a Bill. Even the House of Lords has abandoned this mode of procedure.

(12.26.) MR. SEXTON: I appeal to my hon. Friend to withdraw his objection to this useful Bill, which is necessary for Ireland as well as England, and the more rapidly it is passed the better. I think it highly embarrassing that my hon. Friend should have laid himself under an obligation to an English Member to oppose the Bill, when that hon. Member does not think it necessary himself to attend.

DR. TANNER: I always hold that such business as this should be transacted before 12 o'clock. I therefore continue to object.

Committee report Progress; to sit again to-morrow.

NATIONAL GALLERY.

Copy ordered—

"Of the Annual Report of the Director of the National Gallery to the Treasury for the year 1889."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 106.]

LUNACY CONSOLIDATION BILL [LORDS.]—(No. 191.)

Order [20th March] that the Lunacy Consolidation Bill [Lords] be committed to a Select Committee read, and discharged.

Ordered, That the Bill be committed to the Select Committee on the Statute Law Revision Bill [Lords].—(*Mr. William Henry Smith.*)

MOTION.

LABOURERS' COTTAGES BILL.

On Motion of Sir Edward Birkbeck, Bill to confer further powers on Rural Sanitary Authorities with respect to Labourers' Cottages, ordered to be brought in by Sir Edward Birkbeck, Mr. Jesse Collings, Colonel Eyre, Mr. Hobhouse, Mr. Charles Hall, Mr. Francis Maclean, Mr. Bond, Viscount Ebrington, and Mr. Fellowes.

Bill presented, and read first time. [Bill 201.]

House adjourned at half after Twelve o'clock.

An Asterisk at the commencement of a Speech indicates revision by the Member.
by Contract with H.M.'s Government.

HOUSE OF LORDS,

Tuesday, 25th March, 1890.

REPRESENTATIVE PEERS FOR IRELAND.

Lord Louth.—Petition of Randal Pilgrim Ralph Plunkett Baron of Louth in the Peerage of Ireland, claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

Earl Mount Cashell, Earl of Longford, Viscount Frankfort de Montmorency, Viscount Lifford, claims to vote for Representative Peers for Ireland—Ordered and directed, that Certificates be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Earl Mount Cashell, the Earl of Longford, the Viscount Frankfort de Montmorency, and the Viscount Lifford, to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has Ordered such Reports to be sent to the said Clerk of the Crown in Ireland: And it is hereby also Ordered, that the said Reports of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

PUBLIC TRUSTEE BILL.—(No. 19.)

Reported from the Standing Committee for Bills relating to Law, &c. (on Second Re-commitment), with Amendments: The Report thereof received; and Bill re-committed to a Committee of the whole House on Thursday next; and to be printed as amended. (No. 47.)

COUNTY COUNCILS ASSOCIATION EXPENSES BILL.—(No. 32.)

Commons Amendments to Lords Amendments and Commons Consequential Amendments and Commons Reason for disagreeing to certain other of the Lords Amendments considered (according to Order).

*LORD NORTON: My Lords, I beg to call your Lordships' attention to the fact that these Amendments are not yet printed. We know nothing of them. For my own part, I protest strongly against the Bill itself. I think it is a most mischievous measure, and I wish there were still time to move its rejection. It is a Bill to authorise all County Councils to desert their proper duties and form themselves into a Consultative Association to discuss and interfere in matters which, though locally interesting, belong to Parliament. That is a very mischievous thing, and though the noble and learned Lord has stated that Municipal Councils have something similar, yet I think it is carrying the Municipal precedent too far that County Councils should imitate Municipal Councils in that respect. I think your Lordships will hold that it is a mischievous thing to turn these County Councils into a sort of Local Parliaments, to debate instead of to administer definite functions. I do hope the noble and learned Lord will postpone his Motion. For aught I know the Commons' Amendments may have altered the character of the Bill materially, and have made it more presentable, but, at all events, he will agree that we should know what they are before we pass a measure of this kind which we are now asked to pass. It degrades this House to pass things in the dark.

LORD HERSCHELL: I think when I explain what these Amendments are for the noble Lord will see not only that they do no harm but that they are in the direction he desires. As the Bill left this House, it enabled subscriptions to be paid to any association for the purpose of consulting on matters of interest in common to County Councils. The President of the Local Government Board thought there might be, under that provision, power to the County Councils to subscribe to several such associations, not limiting it to one only. On his Motion in another place, the Bill has been altered in that respect, and it now recites that County Councils may only subscribe to one such association, whereas previously, perhaps, it might have been thought that subscriptions might have been made to several. That

is the only alteration that has been made in the Bill, and, as I have stated, it is strictly in the direction of limitation, not of extension.

Commons Amendments to Lords Amendments, and Commons Consequential Amendments, agreed to; and the Lords Amendments, to which the Commons have disagreed, not insisted on.

House adjourned at a quarter before Six o'clock, till to-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 25, 1890.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL BILL.

MR. BAUMANN (Camberwell, Peckham): Mr. Speaker, I see that there is a Motion in reference to this Bill upon the Paper in my name. That Motion has been put down without any communication with me. I do not know whether that is in accordance with the practice of the House, but, as a matter of fact, I am opposed to the Motion.

*MR. SPEAKER: Another hon. Member handed the Motion in, but the name was not attached, and by an error, the name of the hon. Member for Peckham (Mr. Baumann) was put down as the Mover. I have ascertained from the hon. Member who handed in the Motion that this is an error.

MR. J. STUART (Shoreditch, Hoxton): It was I who handed in the Motion to the Clerk, and I did so without my name being attached to it. The Clerk remembers the circumstance. I, therefore, beg leave to take upon myself the full responsibility for the Motion and to move it now.

MR. BAUMANN: I object.

*MR. SPEAKER: If there is any objection it cannot be taken to day, but it may be taken to-morrow.

MR. J. STUART: Then I will put it down for Thursday.

Lord Herschell

QUESTIONS.

POLICE SUPERANNUATION.

MR. HOWARD VINCENT (Sheffield, Central): I had intended to ask the Secretary of State for the Home Department if he is now in a position to announce the decision of the Government upon the long-deferred question of police superannuation, but at the request of the right hon. Gentleman I will defer the question.

THE COUNTY COUNCILS AND EMIGRATION.

MR. SAMUELSON (Gloucester, Forest of Dean): I beg to ask the President of the Local Government Board whether any County Councils have asked the consent of the Local Government Board for powers under Section 69 of "The Local Government Act, 1888," to borrow money for making advances in aid of emigration or colonisation of inhabitants of the county; and, if so, what has been the amount sanctioned by the Department?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): No application has been made to the Local Government Board by County Councils for consent, under the Local Government Act, to loans for making advances in aid of emigration or colonisation of inhabitants of the county.

LORD ARTHUR SOMERSET.

MR. HANDEL COSSHAM (Bristol, E.): I beg to ask the Secretary of State for the Home Department whether Lord Arthur Somerset is still a Justice of the Peace for Monmouthshire, and also Deputy Lieutenant of the same county?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Lord Chancellor that steps have been taken to remove the name in question from the county of Monmouth. I am informed by the War Office that the name is not on the list of Deputy Lieutenants for that county.

MR. HANDEL COSSHAM: I beg to ask the Secretary of State for War whether Lord Arthur Somerset has received any money, or will receive any pension, as Major in Her Majesty's Ser-

vice, which he resigned 5th November, 1889?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Lord Arthur Somerset has not received, and will not receive, any pension whatever.

THE MAHARAJA SCINDIA.

MR. BRADLAUGH (Northampton): In the absence of the Under Secretary for India, I beg to ask the right hon. Baronet the Under Secretary of State for Foreign Affairs whether the Secretary of State is aware that the late Maharaja Scindia, in a letter dated 30th June, 1886, asked the Government of India that his son and heir should not be placed "under the instruction of a European tutor," and that, in reply, the Viceroy, by a service telegram, dated 19th June, stated that the Government of India would "make every effort to meet Your Highness's wishes;" whether, in spite of this promise, the two Indian tutors appointed by the late Maharaja have been removed, although the Government of India stated they were "entirely satisfied with the progress His Highness had made" under their care, and a European tutor, Mr. W. D. Johnstone, Principal of Rajkumai College, has been appointed; whether the cost of the education of the Maharaja for salaries alone has been increased from Rs.325 per month to Rs.2,700 per month; and whether the Secretary of State will see that the promise made to the late Maharaja by the Marquess of Dufferin is kept, and that the tutors appointed by the Maharaja shall continue the course of instruction with which the Government of India was entirely satisfied?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The late Maharaja Scindia, in May, 1886, informed the Government of India that he had appointed two native tutors for his son. The Viceroy, in reply, telegraphed, on the 19th of June, that "the Government of India will always be most anxious to act, as far as possible, in accordance with the wishes you have expressed." In reply to the second question of the hon. Member, I have to say that, in 1889, the Government of India, having regard to the Maharaja's age, resolved that the time had come to place His Highness under an English tutor, and Mr. John stone was appointed. Mr. Johnstone's salary is Rs.1,500 a month. The Secretary of State has no other information as to the education of the Maharaja. The Government of India, as promised by Lord Dufferin, has "always been most anxious to act, far as possible, in accordance with the wishes" of the late Maharaja. The present arrangement has been approved by the Council of the Regency.

IRISH NATIONAL TEACHERS.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the fact that the results examination of the school of the Irish National Teacher, who, having been summoned to the July examination of 1889 as a candidate for promotion, attended, and passed that examination, and from whom promotion was withheld, was postponed in 1887, as well as in 1888, from June to August, and that these postponements necessitated, on the 24th June, 1889, an examination of his school on the full 12 months' course of instruction, although the pupils were only 10 months in their classes, the Commissioners will make any allowance for the peculiar circumstances connected with this teacher's results examination of 1889, over which he had no control; did the Inspector inspect this teacher's school since the results examination of 24th June, 1889; and, if not, what were his reasons for withholding from the Commissioners, when furnishing them with his Report on the results examination of 24th June, 1889, the information he conveyed to them by his special letter in December, 1889, which information led the Commissioners to decide that promotion was not warranted, notwithstanding their notification when the Report on the results examination of 24th June, 1889, was under observation, that this teacher's promotion would be made conditional on the state of his school during the current school year; when the accuracy of the statements made in an Inspector's Report is impeached, what is the mode of procedure adopted by the Commissioners; and, whether, under these circumstances, he will recommend the teacher for his promotion

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Commissioners of National Education report that, before they arrived at their final decision in the case of the teacher referred to, they gave careful consideration to all the circumstances. They have also subsequently reconsidered the case, and find no ground for departing from that decision. (2.) The Commissioners state that the Inspector did not inspect the school since the 24th June, 1889, and that he did not withhold any information from them, but the correspondence which arose out of the results examination, determined the Commissioners in their decision that the teacher could not be promoted. (3.) The course alluded to in the third paragraph is to refer the complaint in the first instance to the Inspector for his remarks. The Commissioners then determine if any ulterior action is called for. The Commissioners state that they must adhere to their decision in the case.

THE PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.

MR. JOHN ELLIS (Nottingham, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the total area and population of the districts presumed to be congested under the Purchase of Land Congested Districts (Ireland) Bill?

MR. A. J. BALFOUR: The information asked for could not be very conveniently given in reply to a question, but I hope shortly to lay it on the Table, together with other particulars suggested by the right hon. Gentleman the Member for Mid Lothian. In the meantime the hon. Member will be able to form an estimate of the parts of the country proposed to be dealt with as congested districts by referring to the districts scheduled for emigration purposes under the Arrears Act, bearing in mind that they will be included only when they form 25 per cent. of the whole county. The districts can be conveniently identified by reference to the emigration map published with Irish Local Government Board Report for 1884.

MR. JOHN ELLIS: I will further ask the right hon. Gentleman whether the nominated members of the Congested District Board are to receive salaries; and, in that case, what will be their amount?

MR. A. J. BALFOUR: No, Sir; the unofficial members of the Congested District Board will receive no remuneration for their services in the shape of salaries.

MANUFACTURE OF GUNPOWDER IN IRELAND.

DR. TANNER (Cork Co., Mid): I beg to ask the Secretary of State for War if it is true the Government have, from time to time, entered into a contract for powder with the Ballincollig Powder Mills Company, County Cork; whether any specification or requirement has been demanded of the company by the Government with respect to the casks in which such powder is delivered; and whether there is any objection to such casks being manufactured at Ballincollig?

*MR. E. STANHOPE: The Government have contracts, from time to time, with the Ballincollig Powder Company. The barrels in which powder is supplied must be of the usual War Department pattern; and when the local barrel makers can match that pattern so as to pass inspection there will be no objection to the barrels being obtained from Ballincollig. Correspondence on the subject has been going on for some time.

DR. TANNER: Am I to understand from the right hon. Gentleman that if gunpowder can be manufactured at Ballincollig so as to secure the requirements of the Department, the War Office will not object to its manufacture?

*MR. E. STANHOPE: Certainly.

ARRESTS AT CLONGOREY.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at or about 6 a.m. on Friday last, Mrs. Mary Kelly, the tenant of a farm at Clongorey, and Mrs. Morressey, of the same place, were arrested by a force of bailiffs, accompanied by armed police, and were conveyed with Mrs. Morressey's infant, to Dublin, and lodged in Grangegorman Prison; that Michael Morressey also was arrested and taken to Kilkenny Gaol; by what authority this course was taken; whether the bailiffs

acted legally in refusing to exhibit a warrant when called upon to do so; and for what period the women and the infant are to be kept in prison?

MR. A. J. BALFOUR: It appears that the prisoners in question were arrested on an Order obtained in January last from the County Court Judge in consequence of their failure to comply with an injunction restraining them from permitting League huts to be erected on their premises in support of the Plan of Campaign on the O'Kelly estate. The process was at the suit of the landlord. The matter is one over which the Executive Government have no control. Inquiry, however, will be made as to the matters of fact detailed in the question.

MR. SEXTON: Is it not the fact that the Order of the County Court Judge was not to restrain the tenant from building huts, but to remove huts built; was it within the competence of the bailiffs to arrest people other than the tenant; and how does it happen that a woman who had nothing to do with the farm is in prison?

MR. A. J. BALFOUR: The information which I have received says that the injunction was to restrain the tenant from erecting huts. I have no information on the second point, but I have no doubt that the Attorney General for Ireland will be glad to answer any question on the point.

MR. SEXTON: Will the right hon. Gentleman direct particular attention to the arrest of Mrs. Morressey's infant, who certainly was not the tenant of the farm?

SIR C. LEWIS (Antrim, N.): Is it not the ordinary course of law to arrest all persons on the premises under such circumstances?

MR. A. J. BALFOUR: My knowledge of the law is so imperfect that I am unable to answer the question. The hon. Baronet had better put the question on the Paper.

MR. JOHN RYE.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the substitution of Mr. John Rye's name on the Grand Jury List for that of his father, Captain Richard Tonson Rye, D.L., now on his trial for a felony and attempt to murder; and whether any remonstrance will be sent to those who committed this alleged irregularity?

MR. A. J. BALFOUR: The impanelling of Grand Jurors is regulated by Statute, and is in no way under the control of the Executive Government. With respect to the case of Captain Rye, the charge has not reached the stage indicated in the question. The preliminary inquiry at Petty Sessions has not yet concluded.

DR. TANNER: When Captain Rye is brought forward for trial, would not the son, being upon the Grand Jury, be able to adjudicate upon the case?

MR. A. J. BALFOUR: I should think not, but I have no knowledge of the matter and have no control over it.

DR. TANNER: Captain Rye is charged with having committed a particular crime. If his son is upon the Grand Jury would he not have the power of adjudicating upon the case?

MR. A. J. BALFOUR: I have said that I have no knowledge and no responsibility in the matter.

DR. TANNER: Is it not a felony to fire two shots deliberately at an unfortunate gentleman with intent to kill him?

*MR. SPEAKER: Order, order!

THE DUBLIN, WICKLOW, AND WEXFORD RAILWAY.

MR. PETER M'DONALD (Sligo, N.): I beg to ask the President of the Board of Trade whether his attention has been called to the Report in the *Irish Times* of Friday last, 21st instant, of the schedule of complaints submitted to the Directors of the Dublin, Wicklow, and Wexford Railway Company by the Committee of the Kingstown and Suburban Residents' Association, and whether any of these complaints come within the jurisdiction of the Board of Trade; and, if so, whether any or what steps will be taken, in compliance with the recommendations of the Inquiring Committee of 1878, to remedy the grievances so complained of?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have seen the Report in question, and have communicated with the Railway Company, who have made me the following reply:—

"On the 20th instant, a Deputation from the Townships of Kingstown, Dalkey, and Bray waited on the Directors of this Company and put before them a list of matters of which they complained.

"The Directors promised the Deputation the matters referred to should receive due consideration."

The Board of Trade have no statutory authority to require the company to make the improvements suggested.

THE BARONY OF MOYCULLEN.

MR. FOLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Barony Constable of the Barony of Moycullen, in the County of Galway, has, in the collection of the summer cess of 1889, charged the cess-payers one halfpenny in the pound in excess of the rate passed by the Grand Jury; and, if so, will he say on what principle and for what purpose such excess is demanded and received, as appears, by certain receipts now in hand, ready to be produced if desired?

MR. A. J. BALFOUR: The Secretary to the Grand Jury of the County of Galway has favoured me with a statement to the effect that the correct rate for the Summer 1889 Grand Jury Cess in Moycullen Barony is 1s. 4½d., but that in the Query Book the halfpenny was omitted through a printer's error, which may have misled the collector when getting his forms of receipt originally printed. The Warrant subsequently issued which directs him to make the collection contains the correct rate.

ENGINEER OFFICERS.

MR. BRADLAUGH: I beg to ask the First Lord of the Admiralty whether his attention has been called to the statement in the *Globe* of Thursday last—

"That in consequence of the scarcity of Engineer Officers at the various Steam Reserves, the Admiralty are seriously considering the desirability of re-employing the most efficient probationary assistant engineers at the College at Greenwich before the completion of their studies";

and to the statement in the *Civil Service Guide*—

"That it is not possible yet to fix the date of the intended examination in June for candidates from the Technical Colleges for the appointment of probationary assistant engineer, as, up to the present, only one candidate has expressed his intention of coming forward to compete for the 10 vacancies offered by the Admiralty;"

whether these statements are true; and whether he can give the House any further information as to the supply of Engineer Officers?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Admiralty are not considering the desirability of re-employing the probationary assistant engineers at the Royal Naval College before the completion of the studies; but should their services be specially required, they would be withdrawn from the college for appointment to ships, as has been done in former years. The date of the examination of canditates from the Technical Colleges has been recently fixed to commence on Thursday the 29th of May next, and a satisfactory number of applications, namely, 20, have been already received. I have nothing to add to my previous statement that an adequate supply of candidates for the engineering branch of the Naval Service can always be obtained.

MR. BRADLAUGH: I think the noble Lord has overlooked one portion of the question, namely, where I asked whether the requirements in reference to examinations have been dispensed with, owing to the scarcity of Engineer Officers?

LORD G. HAMILTON: I am informed that there has been no departure from the former practice.

STAMPING POSTCARDS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether, under the Post Office Regulations, a person residing in the provinces is compelled, if he wish to have his own postcards stamped, either to attend personally in London for the purposes of witnessing the operation of stamping, and of paying in cash the charge for that operation, or to engage an agent in London so to attend in person; and whether he can see his way to relieve persons resident in the country from the obligation alluded to, and to accept postal orders in payment of the said charge for stamping?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): It is not required that persons wishing to have their own postcards stamped should attend, either in person or by an agent, to witness the operation of stamping. They must, however, if resident in London, deliver the material and pay the duty and stamping fees at Somerset House, and on the completion of the stamping must fetch away the stamped cardboard. As regards persons resident in the provinces, there are seven provincial centres at which the duty and stamping fees can be paid to the local collector of Inland Revenue, after which the owners are required themselves to forward the material to Somerset House, whence, after the completion of the stamping, it is returned direct to them, they bearing the cost of carriage in both directions. Persons resident elsewhere than in London or at one of the seven provincial centres referred to must arrange for the payment of the duty and fees and for the delivery and collection of the material through an agent in London. I do not myself see why payments by money orders or postal orders, as suggested by the hon. Member, should not be accepted, the owners of the material in such cases bearing, of course, the cost of carrying it to and fro; but he will perhaps inquire of the Board of Inland Revenue whether they will accept payments in this manner.

MR. H. HEATON: Will the right hon. Gentleman communicate with the Board of Inland Revenue in order to correct this abuse or grievance?

*MR. RAIKES: It is not in my Department, and I should not like to deprive the Board of Inland Revenue of the pleasure of communicating with the hon. Gentleman.

COST OF HALF-PENNY STAMPS AND POSTCARDS.

MR. HENNIKER HEATON: I beg to ask the Postmaster General whether he can inform the House of the actual cost to the Government of a million half-penny postcards, and a million half-penny stamps, respectively?

*MR. RAIKES: A million thin postcards cost £137 10s.; a million stout cards, £283 6s. 8d.; and a million half-penny stamps, £16 17s. 6d. The cost of distributing postcards is, moreover, very large as compared with that of distributing adhesive stamps.

PRIVATELY PRINTED CARDS.

MR. HENNIKER HEATON: I beg to ask the Postmaster General whether in four years the number of privately printed cards stamped for the post by the Inland Revenue Department rose from 3,000,000 to 50,000,000 per annum; whether the Post Office Authorities increased the charge for impressing the Queen's head on these cards from 1s. to 1s. 6d. per 1,000 with a view to confine the supply of stationery as far as possible to Messrs. De La Rue & Co., and so to compensate them partially for the reductions of price to which they had consented; whether the result of this decision to increase the charge for stamping cards has been an addition to the profits resulting to Messrs. De La Rue & Co. from their existing contracts; and, whether the decision in question has ever been communicated to Parliament?

*MR. RAIKES: The figures in the first part of the question are substantially correct, except that the period should be six instead of four years. As to the second paragraph of the question, the reasons for the increase of fee for stamping private postcards from 1s. 6d. to 2s. 6d. (not 1s. to 1s. 6d.) per 1,000 were given at length by the Secretary to the Treasury on the 9th of July last in reply to a question from the hon. Member for Edinburgh, East. It is impossible for me to say what effect the increase of the fee has had upon Messrs. De La Rue's profits, of which I have no cognisance. But if the hon. Member desires to imply that in fixing the present charge Her Majesty's Government were actuated by a wish to increase Messrs. De La Rue's receipts, I can assure him that the insinuation is as unfounded as, I am bound to say, it is offensive.

MR. H. HEATON: In reference to the fourth paragraph of my question, may I ask whether the decision has ever been laid on the Table of this House?

*MR. RAIKES: I believe that it has been communicated by the Secretary to the Treasury.

MR. H. HEATON: Will the right hon. Gentleman lay the document on the Table?

*MR. RAIKES: I will communicate with the Treasury.

ALLOTMENTS.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the President of the Local Government Board whether the Sanitary Authority for the Midsomer Norton District have recently taken land for allotments under the provisions of "The Allotments Act, 1887;" whether the Surveyor to the Sanitary Authority refused to survey the land for allotments although directed to do so by the Allotments Sub-Committee of the Board, and whether, as a consequence, the land has lain unoccupied for six months, and additional expenditure has been incurred by employing another Surveyor; and whether this additional expenditure, together with the rent for the six months during which the land has been idle, is now to be charged to the allotment holders?

*MR. RITCHIE: I have received a communication from the Midsomer Norton Local Board in which it is stated that the terms of taking some of the land acquired by the Authority for allotments were only agreed to on January 20th last. The making and publishing of bye-laws which regulate lettings necessarily occupied some time. At the last meeting of the Local Board on the 17th inst. the Secretary to the managers delivered a plan of the allotments, the cost of which was £2 2s., and recommended the Authority to let the land at 4½d. per perch, at which price offers had been obtained for the whole, or nearly all, of the allotments. The rent offered was deemed satisfactory, and agreed to.

MR. JESSE COLLINGS: I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether he is aware that the Trustees of the Broughall Charity Estate have recently set out land for allotments under the provisions of "The Allotments Extension Act, 1882," for which they are demanding six months' rent in advance, although the land is in an uncultivated state, and compelling the men to sign agreements by which their tenancy may be determined at a month's notice, terminating with any year of their tenancy; and whether the Charity Commissioners will take any action in the matter?

MR. J. W. LOWTHER (Cumberland, Penrith): The Trustee of the Broughall Charity Estate has recently set out land for allotments under the provisions of the Allotments Extension Act, 1882. The Trustee proposed that the allotment holders should pay six months' rent in advance, and that the tenancy should be determinable at the end of any year of tenancy by one month's previous notice on either side; but he is willing to modify the agreement in both these particulars. The Charity Commissioners will inform the Trustee that the period for which rent is demanded in advance must not exceed three months, and that the notice for terminating the tenancy must be in conformity with the provisions of Section 110 of the Enclosure Act, 1845, and Section 33 of the Agricultural Holdings Act, 1883.

TEMPORARY HOME FOR DISCHARGED PRISONERS.

MR. HOWARD VINCENT: I beg to ask the First Lord of the Admiralty if he has received an application, supported by the leading judicial authorities in London, from the St. Giles's Christian Mission to Discharged Prisoners for the grant of an old ship as a temporary home for the considerable number of first offenders successfully remitted by the Metropolitan magistrates to the care of the Mission, instead of to prison during a probationary period; and if it will be possible for him to accede to the request?

LORD G. HAMILTON: The Admiralty received an application to this effect from the Secretary of the St. Giles's Christian Mission in August, 1889, but, with every wish to assist in furthering the good work of this Society, they were obliged to give a refusal, having no vessel suitable or available for the purpose.

BRISTOL PILOTAGE

MR. BRADLAUGH: I beg to ask the President of the Board of Trade whether he can state, or whether he will consent to a Return showing the amounts paid by the Government, and to whom, for each of the years from 1820 to 1830 inclusive, on account of compensation to the pilots of the Port of Bristol, in respect of the abolition of the Differential Dues on foreign ships

*SIR M. HICKS BEACH: The only information I can find relating to the circumstances referred to by the hon. Member (which occurred between 60 and 70 years ago) is contained in Parliamentary Paper 557 of Session 1828, in which it is stated that the sum of £389 10s. 6d. was paid out of the Public Revenue between the years 1819 and 1828 to the Corporation of Bristol for compensation for pilotage, but whether this was in respect of Differential Dues is not stated in the Return.

CROWN RIGHTS IN SCOTLAND.

MR. KEAY (Elgin and Nairn): I beg to ask the Secretary to the Treasury where information can be obtained regarding all persons to whom any Crown rights of fishings or foreshores in Scotland have been granted, sold, or leased before the 10th October, 1851, similar to the information regarding the same matters from that date to 1886, contained in the Return on the Motion of Mr. Macfarlane, No. 175, of 1886; if no such information has been furnished to Parliament will Her Majesty's Government have any objection to furnish such; what period could it be made to cover before 1851; and is there any objection to furnish similar information from the date of Mr. Macfarlane's Return up to the present time?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): There was no such information, practically, before 1851, and there have been very few transactions since 1886. Such as they are they have been before the Royal Commission appointed to inquire into the Crown rights in the Scotch salmon fisheries. I understand that the Commission will very shortly present their Report. I hope the hon. Member will wait and see that Report, and any information which may not be given to him can be made the subject of another question.

LONDON POSTMEN.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the Postmaster General if he can furnish the House with the information of the number of established postmen, verbally or by means of a Return, in the London postal district of three and more years' service employed at wages of less than 24s. per week; the total number of first-class postmen in the London postal district, and how many of them are in receipt of the maximum 35s. per week: the number of auxiliaries employed less than eight hours per day, the number of auxiliaries employed eight hours and more, and the numbers of second, and first-class established postmen in the London postal district; and the total number of postal *employés* of all classes over 21 years of age employed for eight hours or more per day in the London postal district at less than 24s. per week?

*MR. RAIKES: The number of established postmen in the London postal district of three and more years' service employed at wages of less than 24s. a week is 587, and nearly all of these, so far as I am aware, are not yet over 22 years of age. The total number of first-class town postmen in the London postal district is 1,160, and of that number 526 are in receipt of the maximum. Of these 300 receive from wages and good-conduct stripes together 35s. a week. The number of auxiliaries employed less than eight hours or more a day is 1,500, and the number of auxiliaries employed eight hours or more a day is six. The number of established postmen, town and suburban, now employed in the London postal district is—of the first class, 2,170; of the second class, 1,211; total, 3,381. The number of postal *employés* of all classes over 21 years of age employed for eight hours or more per day in the London postal district at less than 24s. a week is 2,279, out of a total force of 8,339, and of these few, if any, belonging to an established class are more than 22 years of age.

THE THAMES WATERMEN AND LIGHTERMEN'S BILL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the President of the Board of Trade when the Select Committee on the Thames Watermen and Lightermen's Bill will be nominated?

*SIR M. HICKS BEACH: I do not know why the question should be put to me. I have nothing whatever to do with the matter, and I rather think that it was the hon. Member himself who moved the Motion.

THE ABERDEEN TELEGRAPH STAFF.

MR. HUNTER (Aberdeen, N.): I beg to ask the Postmaster General what is the reason of the continued delay in filling up a vacancy in the supervising class of the Aberdeen telegraph staff that has existed since June, 1888?

*MR. RAIKES: The vacancy on the class of senior clerks at Aberdeen to which the hon. Member refers was filled up by the promotion in August last of Mr. Gordon, and I regret that I have not yet been able to fill up the vacancy caused by Mr. Gordon's promotion, but I hope to be able to do so shortly.

MR. RICHARDSON GARDNER.

MR. SUMMERS (Huddersfield): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the public announcement made by the Member for Windsor that he was about to resign his seat for that constituency; whether he is aware that at the present time the constituency in question is to all intents and purposes in the midst of an election contest; and whether, in these circumstances, he will inform the House whether the hon. Gentleman has applied for the Chiltern Hundreds; and, if so, what action, if any, he proposes to take in the matter?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): My attention has been called to the public announcement made by the hon. Member for Windsor (Mr. Richardson Gardner) that he is about to resign his seat. I am aware that the constituency at present is, to all intents and purposes, in the midst of an electoral contest. But I may inform the hon. Member that I have not received any application for the Chiltern Hundreds. If I do, it will, of course, be granted.

RIFLE RANGES.

MR. MARK STEWART (Kirkcudbrightshire): I beg to ask the Secretary of State for War whether there is any truth in a paragraph which has appeared in the newspapers to the effect that the Government will in future require firing rights over 5,000 yards behind the butts of all rifle ranges; and whether the proposed Metropolitan Rifle Range at Staines, with firing rights over 3,000 yards behind the butts, will be considered safe for the practice of the magazine rifle.

*MR. E. STANHOPE: The paragraph is a pure invention, and we have never authorised any statement to be made that at Staines, or anywhere else, firing rights over 5,000 yards behind the targets will be required.

THE TITHES BILL.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Treasury whether, in the event of the debate on the Second Reading of the Tithes Bill not being concluded on Thursday, it will be proceeded with on Friday or Monday?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I can hardly think that the debate on the Second Reading will be concluded on Thursday, having regard to the fact that very important Instructions to the Committee, which will raise more important questions than are contained in the Bill itself, have already appeared on the Paper. But whether that is so or not I hope the House will read the Bill a second time on Thursday; and, if it does not, I am afraid it will be necessary to ask the House to continue the debate on Friday, and it will also be necessary to ask for some Votes in Supply on Monday.

MR. H. H. FOWLER (Wolverhampton): What Votes will be taken?

*MR. W. H. SMITH: There are certain Votes authorising the construction of certain public works. Delay in the commencement of these works will be very injurious to the public interest.

MR. H. H. FOWLER: Has the right hon. Gentleman any intention of altering the order of the Votes?

MR. W. H. SMITH: Certainly not. I consider myself bound to make such arrangements as will enable us to consider the Estimates which were postponed last year at the earliest possible period which circumstances will permit this year.

COAL, CINDERS, &c.

Accounts ordered—

"Of the quantities of Coals, Cinders, and Patent Fuel shipped at the several Ports of England, Scotland, and Ireland, coastways to other Ports of the United Kingdom, in the year 1889:"

"Of the quantities and declared value of Coals, Cinders, and Patent Fuel exported from the several Ports of England, Scotland, and Ireland to Foreign Countries and the British Settlements Abroad in the year 1889, distinguishing the Countries to which the same were sent:"

"Of the quantities of Coals, Cinders, and Patent Fuel exported from the United Kingdom in the year 1889:"

"Of the quantities of Coals and Patent Fuel brought coastways, by inland navigation, and by Railway, into the Port of London during the year 1889:"

"And, of the quantities of Coal and Patent Fuel received coastways at the various Ports of the United Kingdom."—(*Sir Henry Hussey Vivian.*)

LUNACY CONSOLIDATION BILL
[LORDS.]—No. 191.)

Reported, without Amendment, from the Select Committee on Statute Law Revision Bill [Lords], with Minutes of Evidence;

Report to lie upon the Table, and to be printed. [No. 110.]

Bill re-committed to a Committee of the whole House for Thursday.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887, (PERSONS PROCEEDED AGAINST, &c.)

Return ordered,

"Containing Names of all Persons proceeded against under 'The Criminal Law and Procedure (Ireland) Act, 1887,' from the 30th day of November, 1888, to the 31st day of March, 1890, &c." (in same form as, and in continuation of Parliamentary Paper, No. 28, of Session 1889).—(*Mr. John Ellis.*)

ORDERS OF THE DAY.

CONSOLIDATED FUND (No. 1) BILL.

Order for Committee read.

(4.5.) MR. SEXTON: I wish to ask you, Sir, whether one Order of the Day can be properly separated from the others, so as to give it precedence over Notices of Motion on Private Members' nights?

*MR. SPEAKER: Yes; that is the practice repeatedly sanctioned by the House for many years in the case of Money Bills and Bills of that nature. In 1876 and 1879, in one year on March 24, and in the other on March 25 (this very day), a Consolidated Fund Bill was so put down, in one case on Tuesday, and in the other on Friday.

MR. BUCHANAN (Edinburgh, W.): May I ask whether this discretion on Tuesdays is limited to Consolidated Fund Bills and Money Bills?

*MR. SPEAKER: It is not limited to Money Bills. The practice extends to Bills for which urgency can be properly claimed.

MR. BUCHANAN: Can a Bill so put down only be taken by consent?

*MR. SPEAKER: This Bill was put down for half-past 3, I must observe, by Order of the House. It was yesterday ordered to be taken at half-past 3 to-day.

MR. BUCHANAN: Can it only be taken by consent?

*MR. SPEAKER: Oh, no.

MR. SEXTON: Is the judgment of the Government conclusive as to urgency?

*MR. SPEAKER: Yes. It is on the ground of urgency that a Money Bill is so put down.

MR. BUCHANAN: Do I understand your ruling to be that on Monday evening it is in the power of the Government to move that any Bill may be taken on the Tuesday before Motions because, it may be without any reason or without notice, it considers that Bill urgent?

*MR. SPEAKER: I think the exercise of that right of making such a Motion would be watched by the House with great jealousy, but it has been the practice for many years to take the Consolidated Fund and other Money Bills, and the course now taken is, therefore, consistent with Parliamentary practice.

MR. J. LOWTHER (Kent, Isle of Thanet): I assume that the judgment of the Chair would be exercised, and that no Bill would be put down which, in the judgment of the Chair, was not urgent?

*MR. SPEAKER: It does not rest with the Chair. The Order is made by the House. But it might be my duty to call the attention of the House to the circumstances, if I thought it necessary.

Bill considered in Committee and reported.

QUESTIONS.

IRELAND—THE SPECIAL COMMISSION REPORT.

MR. E. HARRINGTON (Kerry, W.): I beg to ask whether it has come under the notice of the Secretary to the Treasury that the price of the Special Commision Report has been reduced from 1s. 4d. to 9d., and whether such a change has ever previously taken place in the price of Papers on public sale; and whether the price of Public Papers are in the hands of the Treasury or under Parliamentary control?

MR. JACKSON: It has come to my notice. The fact is that the first edition was absorbed, and it was necessary to issue a second. Following what I believe to have been the practice of the House, that Parliamentary Papers should be issued at the lowest possible price, it was found that the extra cost of printing the extra number of copies would permit the sale at 8d., and not at 9d., as the hon Member has said, but I am speaking from memory.

MR. E. HARRINGTON: Has the attention of the First Lord of the Treasury been drawn to the fact that the Report is practically made up of extracts from the *Irish World* and from the speeches of Irish Members, and was it for the special purpose of circulating it among the members of the Primrose League that the price has been reduced?

MR. LABOUCHERE (Northampton): How many copies were there in the first edition, and is there a prescribed number for editions of these Public Papers.

MR. JACKSON: I do not know the number of the first edition. I believe there was an unusually large number.

SIR WILFRID LAWSON (Cumberland, Cockermouth): May I ask whether the thanks of the House having been voted to the three Judges for their impartial judgment, that Resolution has been formally presented to them, and, if so, whether they have made any reply?

*MR. W. H. SMITH: It is no part of my duty to convey to anybody a Resolution of this House.

SIR W. LAWSON: Then, Mr. Speaker, may I ask whether you have formally conveyed the Resolution to the Judges, or whether it will be conveyed to them at all?

*MR. SPEAKER: I have received no directions on the subject.

*MR. CAUSTON (Southwark, W.): Can the hon. Gentleman quote any other instance of a similar reduction in price?

MR. JACKSON: Several; one of them was the Report on the Housing of the Working Classes.

*MR. H. J. WILSON (York, W.R., Holmfirth): Was it reduced one half?

MR. JACKSON: If the hon. Member will put the question down, I will obtain the information.

MR. CLANCY (Dublin County, N.): Has the reduction taken place since the adoption of the Report?

MR. JACKSON: No, Sir.

MOTIONS.

COUNTY COUNCILLORS (QUALIFICATION OF WOMEN) BILL.

On Motion of Mr. James Stuart, Bill to enable Women to be elected and to act as County Councillors, ordered to be brought in by Mr. James Stuart, Baron Dimsdale, Mr. Channing, Mr. Walter M'Laren, and Mr. Sydney Buxton.

Bill presented, and read first time. [Bill 202.]

SALARIED SHOP ASSISTANTS' WEEKLY HALF-HOLIDAY BILL.

On Motion of Mr. Blundell Maple, Bill to give Salaried Shop Assistants, male and female, one Half-Holiday in each week without closing the shop, ordered to be brought in by Mr. Blundell Maple, Mr. Baumann, Mr. Gainsford Bruce, Marquess of Carmarthen, Mr. Kimber, Mr. Lambert, Captain Penton, and Sir John Puleston.

Bill presented, and read first time. [Bill 203.]

METROPOLIS PAVEMENT ACT (1817) AMENDMENT BILL.

On Motion of Sir Albert Rollit, Bill to amend "The General Paving (Metropolis) Act, 1817," ordered to be brought in by Sir Albert Rollit, Mr. Bartley, Mr. Richard Chamberlain, and Mr. Lambert.

Bill presented, and read first time. [Bill 204.]

REGISTRATION OF FIRMS BILL.

On Motion of Sir Albert Rollit, Bill to provide for the Registration of Firms, ordered to be brought in by Sir Albert Rollit, Sir Bernhard Samuelson, Mr. Lockwood, Mr. Forrest Fulton, Mr. Woodall, Mr. Maclure, and Mr. Barran.

Bill presented, and read first time. [Bill 205.]

SCHOOL SUPPLY (YORK AND SALISBURY).

(4.15.) MR. MUNDELLA (Sheffield, Brightside) rose to call attention to the action of the Education Department in respect of the School Supply of York and Salisbury; and to move—

"That this House is of opinion that the action of the Education Department in reference to the supply of public schools accommodation in the cities of York and Salisbury is contrary to the spirit and intention of the Education Act of 1870, and injurious to the interests of education."

The right hon. Gentleman said: I can assure the House that it is far from an agreeable task to me to find myself under the necessity of moving a Vote of Censure on a Department which I had the honour of representing in this House for a long period. I have always regarded the Act of 1870, notwithstanding its manifold defects, as one of the most valuable measures of our time. It was a compromise and an endeavour to reconcile conflicting views, and that compromise, when in office, I loyally endeavoured to carry out. It has, from time to time, been subjected to much criticism by hon. Gentlemen on both sides of the House. When the Bill of 1876 was introduced, its rejection was moved by the noble Lord the Member for Rossendale (the Marquess of Hartington), who was supported by the present Chancellor of the Exchequer, both the noble Lord and the right hon. Gentleman condemning almost as unsparingly as the Member for West Birmingham (Mr. J. Chamberlain) the support out of public funds of denominational education. The noble Lord said—

"There are many of us, and I do not scruple to say that I was one of them, who believe the principle of School Boards is the right and true principle in this matter. We believe that being the right and true principle, it will in the end prevail. We believe that when once the time has arrived for Parliament to declare that the education of the country is the business, not, as formerly, of one individual, but of the whole State itself, it will become inevitable that sooner or later State education must be in the hands, not of individuals, but of the representatives of the people."

The Chancellor of the Exchequer, on the same occasion, said—

"He believed in the long run that popular feeling would declare itself against the support of denominational schools by public money."

No matter what Government may have been in office the administration of the Education Act has been watched for many years with great suspicion and jealousy, and of late a dead set has been made against the permanent officials of the Education Department. I claim for myself that I gave to Mr. Forster a loyal support, and that, during the whole time I have been in this House, I have never refused, but gratefully accepted, any advance on education which has been offered to us by any Government that has been in power. And when, in 1880, I was called upon to administer the Act, I strove to the utmost of my ability to administer it impartially. I think I can say the same of my predecessor, the noble Lord who is now the First Lord of the Admiralty, and another noble Lord, who is not now in the House (Lord Sandon), and, so far as I was personally concerned, I had the cordial assistance of two Lords President—Lord Spencer and Lord Carlingford. The Vice President has had occasion recently to point out that the permanent officials are not fairly treated by some hon. Gentlemen who sit behind him. While I was connected with this Department Sir Francis Sandford and Mr. Cumin were the Secretaries, and from my experience of those gentlemen I can speak to their judicial and impartial minds and their desire not to swerve by one inch from the perfectly fair administration of the Act. But some hon. Gentlemen opposite apparently take a different view of the matter. Their opinions have been expressed very courageously and frankly by the noble Lord the Member for the Darwen Division (Lord Cranborne), who a short time ago said—

"We do not distrust the right hon. Gentleman the Vice President, but we have a profound distrust of the Education Department."

And he went on to add the reason—

"Because the right hon. Gentleman the Member for Sheffield has left his spirit behind him, and though my right hon. Friend does his utmost to restrain it, yet it leaks out in every direction."

The charge, therefore, is that the permanent officials are not fair to the denominational schools, but against that charge I am sure the Vice President will defend them. I desire to call attention to two instances in which I have had

seriously to arraign the action of the Department, but in doing so I made no attack on the permanent officials, nor on the Vice President, who has shown himself to be fair-minded and courteous, and in sympathy with education. But while I believe that it has neither been the right hon. Gentleman, nor the permanent officials, I am afraid there has been a power behind them which has taken on itself to overrule them and set new precedents which will prove disastrous to the interests of education. Following up what I said about the action of the Conservative Party, I noticed that when Mr. Cumin died in January last, a remarkable article appeared in the *Standard*, calling upon the Government to be careful whom they appointed in Mr. Cumin's place, and warning the Government against appointing anyone who was not "unfettered by official traditions, and competent to look at the whole educational controversy from the outside." I congratulate the Government on the appointment of the present Secretary of the Education Department: I do not believe that any appointment could have given greater satisfaction. Though a Conservative and Churchman, I am sure Mr. Kekewich is not responsible for the policy which has been adopted. The Resolution which I have put upon the Paper calls attention to the action of the Department with respect to York and Salisbury. I will take Salisbury first, because it comes first in order of time. It is not the worst case, but it is a very bad case, and one which the right hon. Gentleman will find it difficult to defend. I am sorry to say I shall have to trouble the House with considerable details. In February, 1888, the Department complained to the School Board of Salisbury that there was a lack of school accommodation in the place. There has been a School Board in Salisbury for 17 years, and during the whole of that period efforts have been made, without success, to secure a Board school for Salisbury. In 1885 and 1886 the Department sent down an Inspector, who informed the managers of the Scotslane schools that the grant would be refused unless large structural alterations were made, and the school brought into harmony with modern requirements. Now Scotslane British school was one which had been improved out of an old chapel, and was held by the managers on a short tenancy, and they found that it would be impossible to make good and useful schools there without entire re-construction, and without incurring expense which the managers would be unable to meet. Further than that, it was found that the site was not suitable. The complaints of the Inspector were continuous down to 1888, and ultimately the Department notified that the grant would be refused. Upon that, the managers resolved that the school should be closed at Christmas, 1888. On the 15th of December, 1888, the Department wrote again to the School Board inviting their attention to the deficiency of school accommodation in the place, and adding that additional accommodation in a central position was urgently necessary, even irrespective of the closing of the British school. About this time the triennial election of the School Board was pending, and before the election came on there was an informal understanding arrived at by men of influence on both sides that if the Scotslane Schools were closed a School Board school should be opened. I do not say there was a compact or a written agreement, but there was an understanding as stated by men of high honour whose word is as good as that of the Bishop himself. The Bishop, however, forced this controversy upon different lines altogether, and was entirely opposed to a School Board school on any conditions whatever. He made personal appeals to the electors both in the Press and the pulpit, and the whole parochial agency and the whole organisation of the ecclesiastical party were put into operation to prevent a School Board school from being set up in Salisbury. There were 19,000 votes which might have been cast at the election, and of these 8,600 votes only supported the ecclesiastical party, and 6,300 were polled for a School Board school. The other electors remained neutral. I point out that to show that there was a large minority in favour of a School Board school. After the election of the new Board, the Department—on the 2nd March, 1882—called attention to its previous letters, and asked the Board to take into early consideration the question of the additional school accommodation required in the district. In the same month the managers of the Fisherton

School, in the outskirts of the city, announced their intention of closing it after the next inspection, for they had come to the conclusion—and I think wisely—that it was no use struggling on with an imperfect staff, and that a good Board school was required to raise the tone of education in the city. The result of that step would of course be, by the following Christmas, to cause a deficiency of school accommodation for 800 children. In April, 1889, the Department wrote again to the Board, calling attention to the deficiency of the existing school accommodation and to the increase of that deficiency by the closing of the Fisherton School, and they asked the Board in what way provision was to be made for the children. The School Board deferred the consideration of that communication for a month. That is the way in which the Board procrastinated and ignored its functions. At the next meeting of the Board on the 15th of May a letter was read from the managers of the Church Day Schools Association offering to provide additional accommodation, and a school which previously had been a free school was assigned by those managers to the Kilburn Sisters to rebuild and to maintain under their sole management. The Board resolved to accept the offer, they passed a resolution to that effect, and the resolution was communicated to the Department. Thus, nearly a year and a half had elapsed since the Department first called the attention of the Board to the necessity for additional school accommodation. On the 19th June, 1889, the Department again wrote calling the attention of the Board to the fact that they were charged with the duty of providing adequate and permanent public elementary school accommodation for the children of the city, and that before their Lordships would feel justified in withholding a requisition addressed to the Board under Section 18 of the Elementary Education Act, they must be satisfied that the schools proposed to be provided by voluntary exertions were suitable for the purpose. The Department further asked for plans of the site and proposed buildings and an undertaking to maintain the proposed school as a public elementary school. A month or two later the Department reminded the Board as follows:—

"If their Lordships feel it their duty to make a formal requisition on the School Board to supply further accommodation. . . . it must be clearly understood that any school accommodation mentioned in the requisition must be supplied by your Board and not by other persons."

On the 26th June the School Board replied—not very courteously, but rather in a shuffling and evasive way—and on the 30th July the Department again wrote—

"My Lords accept the accommodation proposed in the proposed plan for the Bishop's higher grade school, but they must be satisfied with respect to the subscriptions for building and carrying on the school."

And so the negotiations went on until at last the Board got an extension of time to the close of October. As a result of the negotiations Memorials, influentially signed, were sent up to the Department from Salisbury; and in November I had the honour of introducing a deputation of the ratepayers, who laid their views before the Department. I may mention that the contract was signed on the 16th August; but up to the end of the year I believe no guarantee had been given, except the personal guarantee of the Bishop, and the contract entered into was a conditional contract, providing that the schools should be completed within six months from the time when the contractor was called upon to begin. The payment of the subscriptions was spread over a period of 10 years. One school—the Bishop's school—was to be a select school, in which the fees were fixed at 9d., and was not to be recognised as supplying any part of the deficiency. The answer given by Lord Cranbrook to the deputation was that there was no legal obligation on the School Board to take up that which others would do.

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): To secure a supply.

MR. MUNDELLA: But in one of their letters the Department say it is the duty of the Board to provide adequate accommodation for elementary education. Well, the Board only provide it if other people do not. Why does the Department threaten the Board with a requisition if it does not do its duty? However generous the offer of the Bishop may be, his liability does not extend beyond the building of a school, for with a fee of 9d. a week and Government Grants a school

can maintain itself, and 9d. is an absurd fee for an elementary school in Salisbury. Two new schools had been provided by the Board and accepted by the Department. They were built to provide nominally for 120 children in each department. Great was the astonishment when the Department would not certify for more than 98 in each; yet in a short time the same buildings were certified as affording accommodation for 146 in each department. That is the way in which the Department have met the demands for public school accommodation in Salisbury. Now, Sir, I have a word or two to say as to the interference of the Kilburn Sisters in the educational affairs of Salisbury. It is no part of my duty to complain of the practices or doctrines of that Sisterhood. But I may explain that it is an Anglican Sisterhood, known as the Church Extension Society, and as the Kilburn Sisters, who are active propagandists of doctrines not in accordance with the Articles and formularies of the Church of England, and opposed to the views of nine-tenths of the Protestants of this country; and to force children to attend schools taught by the Kilburn Sisters is an oppression of conscience of which no Member on either side of the House will approve. The result of the action of the Department is that the Kilburn Sisters and the Bishop of Salisbury are supplying the educational wants of the city, while the School Board escapes its obligations, and now there is no school in Salisbury which is not under the control of the Church of England, except one small Roman Catholic school, and 6,000 persons who are in favour of a School Board school are compelled to send their children to these schools. Now, Sir, Clause 7 of the Act of 1870 is, that the School Board shall maintain and keep efficient every school, and shall, from time to time, provide such efficient school accommodation as is, in their opinion, necessary, and if, at any time, they do not supply that accommodation, a requisition will follow. It is quite time that there is no obligation under this section to send a requisition; but on June 19th the Department threatened to send a requisition, unless their requirements were complied with. It was not obligatory; but they have the power, though not the duty, of doing it. These conditions were not complied with four months after the date fixed, and one of them is not fulfilled at the present day. Yet no requisition has been sent. What are the facts of the case? That if the Bishop were to die, the whole scheme would break down. There would be no supply. The schools of Salisbury have been for many years in a poor and struggling condition, and the County of Wilts stands lowest in education of any county in England. I believe its Grants are 7 per cent. less than the next lowest county. The decision of the Department has placed it in this position: that practically the school supply is left to the Bishop and the Kilburn system. On the 19th October he said—

> "Now, as long as he was Bishop of Salisbury he would never allow a Board school to be introduced into that town, as long as he had a penny in his pocket."

That is not the Act of 1870. On the same occasion the Bishop told the inhabitants of Salisbury what the great and terrible German nation had resolved with regard to religious instruction. The Bishop spoke with approval of the German system, which compels every man to make a confession of faith, and allows teachers of religion in German schools. If the Bishop had turned to Mr. Matthew Arnold's Report upon religious teaching in German schools, he would have found it stated that in the best educated and most Protestant parts of Germany two-thirds of the working classes were alienated from religion. I think anyone who knows Germany knows the mischief that has been done to religious teaching and to religion itself by compulsory religious teaching. But in dealing with this question there is something still more important—the relation of the Church to Nonconformists in Salisbury. The effect of what I have been commenting upon will be to enforce the attendance of a reluctant minority at these ultra-sectarian schools. What can come of this but heartburning and strife? Complaints are made as to the working of the Conscience Clause already. I believe there are some Liberal clergymen in Salisbury who are exceedingly anxious so to adapt their proceedings as to minimise the number of days on which the Catechism is taught. But that only applies to the few. Already

I have received numbers of letters from working men, some complaining that time after time their children have been left in the cold and darkness of the outer lobbies, while the teaching has been going on inside. Others complain that the children have not been withdrawn from this teaching. The right hon. Gentleman has heard several of these complaints. A working man sent his daughter to the Fishburn School after the British School was closed. She was then received on the payment of 3d. per week. He claimed the Conscience Clause; and when they heard she was in the Seventh Standard, they said "You must pay 9d. a week to remain here." A penalty was placed on this child, either because the Conscience Clause was claimed or because she was in the Seventh Standard. How is this going to promote the education of Salisbury? What is the duty of the Department if it is not to promote education? Is it the duty of the Education Department to provide sectarian education? What will be the result of the action of the Education Department in Salisbury? The right hon. Gentleman knows that the schools of Salisbury are poor and struggling, and that many of them are, structurally, very bad. One has been condemned, I am told, since the Fishburn Schools were closed, by H.M. Inspector Green. And so encouraged are the Church Party in Salisbury by the action of the Department that they have been talking of petitioning for the removal of Mr. Green. There can be no better evidence of the poverty of the schools of Salisbury than that the free schools are obliged now to charge a fee. As a result, the School Board have to send working men to the Board of Guardians to get payment of their fees; the working-men are very unwilling to go, and the Board are very reluctant to prosecute them for not going. What would have been the result if the Department had taken a different line of action? Supposing the Department had met the thing promptly when it first arose, and established a School Board school to begin with. What would have been the result? A Board school would have raised the tone of education in Salisbury; it would have been a model and an example for the rest of the schools; it would not have been an advantage to Nonconformists; it would have been an advantage to education. The right hon. Gentleman knows that the School Board could then have remitted the fees of the working-classes. The result of better organisation of the Church schools has been that they have benefited by the increased Grant to the extent of from 2s. 6d. to 13s. per head. One good Board school would have raised the character of the whole education of Salisbury. It would have been of advantage to the Church schools if they had had the competition of one or two good Board schools, as it would not only have raised their tone, but have increased their earnings immensely. The right hon. Gentleman says that this was not the spirit of the Education Act. Let me remind him of what the late Mr. W. Forster said when that Act was passed. He said—

> "The education of the people's children by the people's officers chosen in their local assemblies, and controlled by the people's Representatives in Parliament—that is the principle on which the Bill is based, and it is the ultimate force which lies behind every clause."

But where, I ask, are the people's schools in Salisbury managed by the people's officers, and managed for the people? There are no such schools. There are no schools into which anyone would care to send a child, unless it be the Church schools. In 1876 the right hon. Gentleman the Chancellor of the Exchequer appealed to the Vice President of the Council of that day, and asked if the school supply, which was referred to, consisted of Unitarian schools, would he dare to force the attendance of children in them? Suppose the Catholics had built those schools—because it means this if it means anything—would you have regarded them as suitable and have allowed the School Board to enforce attendance in them? No; you would have ordered other schools to have been built forthwith; but as it is, you are doing what is much more objectionable. This matter has been one of great controversy, and I myself was forced into a controversy with the Bishop in regard to it. I acknowledge the thorough honesty of purpose and the good intentions which animate the Bishop; but I am afraid he is an extremely narrow ecclesiastic, and has very little toleration for those who differ from him. I have armed myself with letters respecting this question of

the Salisbury schools from all parts of England, from beneficed clergymen not only in Salisbury but all over the country, and also from the laity on a much more extensive scale. I should like to read one letter I have received from a beneficed clergyman in Salisbury, as I think it will give the House a fair picture of what is going on in that city. [*Cries of* "Name!"] I will give names where I think it necessary, but I cannot undertake to give the names in every case I quote, because there are some men whose names it would not be fair to read, as it might interfere with their personal comfort considering that they have to look to ecclesiastics for the position they maintain. One letter is from Edmund's rectory, in which the clergyman says that, as the only beneficed clergyman in Salisbury who is conscientiously opposed to the action of the Bishop, he thought it necessary to protest that the Bishop's policy was most lamentable in its results and was doing much harm to the cause of the Church of England and of religion. This is a letter from an excellent man who does honour to the Church by his learning and ability, and of whom all who know him speak with admiration and effect. I am afraid I have detained the House too long in reference to the question of Salisbury. I will now briefly touch on the case of York, which I think the House will find is even worse than that of Salisbury, from the point of view of neglect on the part of the Education Department. In the Salisbury case, the Department were empowered to do certain statutory things, and ought to have exercised the discretion they possessed; but in the case of York, they had to perform a statutory duty, and this duty they have undoubtedly neglected. There are numerous Reports in the Education Department showing that many of the schools in York were, structurally, unsuitable, while the fees were exceptionally high. The right hon. Gentleman will not dispute this, as the Department declined to recognise All Saints' school in 1886. There was a large deficiency of school places, and, after a long correspondence, the final notice was issued in 1888. Instead of creating the necessary places the School Board accepted the offer of the Church Extension Association to create 600 places, in spite of strong protests from many denominations. I contend that it is not in the power of the School Board to allow any one else to do the work which they are bound to do. On the acceptance of the offer, protests were immediately raised from Public Bodies of many denominations, and Petitions were sent to the Department. A copy of the Board's resolution of October 4, accepting the offer, was sent to the Department, and on the 31st January, 1890, the Department replied, informing the Board that they were advised that it was not the duty of the Department to send a requisition—so that the Department gave up the requisition—and asked that the plans of the school which was proposed to be built should be forwarded to the Department without delay for their approval. Now, I am curious to hear what the right hon. Gentleman (Sir W. Hart Dyke) has to say in defence of this action, because it has ever been held as a canon in the Education Department, and indeed it was decided in the famous Willesden case by Lord Herschell, that when a School Board has been set up for the purpose of supplying a deficiency, no other Body but the School Board can afterwards supply that deficiency. I should like the right hon. Gentleman, if he has any precedent to the contrary, to show it to me. All I know is, that when I was at the Education Department I was told that there was no such precedent. It appears to me that there was less excuse in the case of the City of York for the non-supply of accommodation than in any other case that I ever knew. The state of education in York, according to the statements of the present Chairman of the School Board, is disgraceful. In the first place, 2,100 children are at the present time in private adventure and dame schools—a state of things which I do not believe is equalled anywhere else. Some of these schools are held in the ordinary living rooms of private houses and in other unsuitable premises. Another difficulty they have in York which has given much trouble is connected with the school fees. The fees are exceedingly high, averaging 14s. 7½d., and the Chairman says that even men who are in regular work, but who have small wages, cannot afford to pay these fees, and consequently they are brought into contact with the degrading machinery

of pauperism. I take shame to myself that I did not find out when I was at the Department that York was in so bad a condition. Then there is the system of raising the fees as the child rises in the school, which prevents parents from sending their children regularly to school, and induces them to take them away as soon as they are old enough to earn money. This state of things is being perpetuated by the Government, and it not only reflects discredit upon the Government, but does the greatest possible harm to education. I know that nothing has been so beneficial to the voluntary schools as the competition of the School Board schools. All through Yorkshire I can find towns where the average earnings are 3s. per head higher than in York. In fact, it is a misfortune for a child to be born in the City of York, for he is worse off in the matter of education than any other child. Why is this? This is done in the name of religious education. If there is one thing more than another that was impressed upon this House by the late Mr. Forster, it was that parents should have free choice of schools. There is no free choice of schools in York, and there is not going to be any so far as the Education Department is concerned. I say that if the Education Department had taken into consideration not only that the supply should be sufficient, but that it should be efficient, such a decision as this could never have been come to. I am of opinion that the Government has neglected to use the powers conferred upon it by the Education Act, and distinctly failed in the performance of its statutory duty in respect of these schools. I beg to move the Motion which stands in my name.

Motion made, and Question proposed,

"That this House is of opinion that the action of the Education Department in reference to the supply of public school accommodation in the Cities of York and Salisbury is contrary to the spirit and intention of the Education Act of 1870, and injurious to the interests of Education."—(*Mr. Mundella.*)

*(5.42.) MR. HULSE (Salisbury): As representing one of the two constituencies referred to by the right hon. Gentleman the Member for Sheffield, I hope the House will bear with me for a few moments whilst I endeavour to place hon. Members in possession of the real facts of the education controversy, so far as Salisbury is concerned. I cannot presume to enter into a discussion with the right hon. Gentleman as to the scope or even the merits of the Education Act of 1870, or the Department over which the right hon. Gentleman presided for so many years, but I think I can speak with some confidence and authority as to the wishes and desires of my constituents in this matter. Hon. Members are no doubt aware that Salisbury and its Bishop have been the subject of articles and leaders in the public organs of the Metropolis for some time, owing, no doubt, to the prominent part the right hon. Gentleman has taken in this controversy. The right hon. Gentleman was correct in more than one statement he has made, but, so far as the population of Salisbury is concerned, he is incorrect in saying that the population of the Salisbury school district is 19,000.

MR. MUNDELLA: I said, I think, that the number of votes cast at the School Board election was 19,000.

*MR. HULSE: The population is 18,000, and evenly balanced as have been its many political conflicts, and narrow as have been the majorities of those who have been privileged to represent it in this House, I think Salisbury is practically determined to uphold the voluntary system in its schools, and, if possible, to promote and continue the *modus vivendi* both for Church and Dissent. This is no mere sectarian struggle to which the right hon. Gentleman has drawn the attention of this House. Every honest effort has been made by the City of Salisbury to meet the educational wants of the population. The deficiency which the right hon. Gentleman complains of was not caused by the speedy growth of the population, but rather by what I might venture to call the very mistaken action of the members and supporters of the British and Foreign Schools Society, of which the right hon. Gentleman is President, and whose mouthpiece in this matter he has declared himself throughout his speech to be. The educational controversy in Salisbury dates back as far as 1871 and 1872, when, for a short time, there was a recognised deficiency of accommodation, which was met by the building of the free school to which the right hon.

Gentleman has referred. The right hon. Gentleman alluded to the deputation which he introduced to Lord Cranbrook, I think in November last. Well, according to the statement of the working man member of the present School Board, whom the right hon. Gentleman introduced with a deputation to Lord Cranbrook, there was no contest for nine years after the establishment of this free school for the School Board. The School Board of Salisbury then, as now, had a majority in favour of the voluntary system, and against the erection of Board schools, at the expense of the ratepayers. Only 12 months ago, at the instigation of the Board school party, the question was threshed out as to whether there should be Board schools and a continuation and extension of the existing system, and the present Board was returned by a large majority in favour of the voluntary system. So far as I am able to judge, as representing Salisbury, I am confident that a majority of my constituents are in favour of the voluntary system, and I have no fear that the Bishop will, in his new technical school, only admit the sons of Churchmen, or that the Conscience Clause will be abrogated, or that the Catechism or other formularies of the Church will be inflicted on unwilling hearers. The right hon. Gentleman has referred to one or two cases of working men objecting to the teaching in these schools, but I would remind him that in two of the particular instances, although the parents took advantage of the Conscience Clause, they sent their children to the Sunday schools, and that in another case a parent who took advantage of the clause removed his child to a Roman Catholic school. Well, Sir, as a matter of fact, the Catechism is taught in the Salisbury schools only once a week, on Friday mornings. The Nonconformist parents know very well that they can either send their children to school at 9.45 on Fridays, when the Catechism is over, or, as many have done, they can send their children at 9 o'clock on the understanding that for three quarters of an hour, whilst the Catechism is being taught, their children shall be provided with secular training. The right hon. Gentleman has been unceasing in his arguments elsewhere that the object of the Act of 1870 was to give to the parent a choice of schools. I do not take that view. I have always thought, on the contrary, that the grievance of the Radical Party was that the object of Mr. Forster's Act was only to supply existing deficiences; but if the object of the Act is what the right hon. Gentleman contends there would be, or ought to be, a couple of rival schools not only in every urban but in every rural parish throughout England. So far as I in my humble way can judge this is not a working man's grievance in Salisbury, but a sectarian grievance, fostered and encouraged by certain reverend gentlemen who are anxious to make political capital out of it. The closing of the British schools was, in the opinion of many, only a piece of political strategy, and wholly unnecessary. To use the words of the right hon. Gentleman the Member for Sheffield (Mr. Mundella) in his published correspondence with the Bishop of Salisbury, if the supporters of these schools wished only to rate themselves they might have done so; they might have saved them from extinction, and have prevented all this grievance. The truth is that the supporters of these British schools wish to rate Churchmen, Roman Catholics, Wesleyans, and other Nonconformists for the purpose of erecting and maintaining schools which they had not the public spirit to maintain and keep going themselves. But, even before this, the Church Day Schools' Association was started to prevent the abandonment of the existing schools, and also to supply the future educational needs of the city. Nearly 18 months ago many of the leading citizens subscribed to the British schools, as well as to the parochial schools, and, so far from the Bishop having been intolerant—he may have been on one occasion somewhat injudicious, a point the right hon. Gentleman has made the most of—at a meeting at the Palace, when the probability of closing the schools was first announced, he offered the assistance of the friends of the voluntary system to keep the British schools going, and also to satisfy the requirements of the Department respecting them. I am extremely sorry to have to weary the House with figures, but I should like to state what the school accommodation is. The population of the school district of Salisbury is

18,000, and, taking the children of school age at the very liberal estimate required by the Department of one-sixth of the population, they will number 3,000. The right hon. Gentleman alluded to the school accommodation of Salisbury in February, 1888. There was then provision in the existing schools for 3,086 children. The actual number on the register was 2,534, and the actual daily average attendance was 2,264. The two British schools that were closed provided accommodation for 310 and 340 children respectively, whilst the Roman Catholics, who never neglect their children, provided accommodation for between 90 and 100. When the Bishop's Higher Grade School is open, as it shortly will be, there will be accommodation for 4,119 children, reckoned on the basis approved by the Education Department. Hon. Members will ask what is the reason for this greatly extended accommodation? It is due to the fact that on the Report of the School Inspector the Education Department required that the City of Salisbury should be divided into certain districts, in each of which the necessary school accommodation should be provided without allowing a superfluity of places in one part of the city to be set off against the deficiencies elsewhere. This has been done at the sole expense of the Church party. I would further point out that since the British schools were closed there have been 1,653 places provided to make up for the loss of the 650 places which were so unduly and wantonly sacrificed by the closing of the British schools. We have, therefore, an excess of accommodation for 1,585 children, which, I believe, is sufficient to provide for the growth of population for at least another generation. If every child of school age from three to 13 attended an elementary school in Salisbury there would still be an excess of accommodation for 1,119 children, all requirements of the Department having been fulfilled. I think the Bishop has done everything in his power to promote and foster Christian feeling between the various Religious Bodies in the city. In the higher grade school, which has been erected at the entire cost of his Lordship, I believe there will be found some of the best and cleverest boys in the city, no matter what be their creed, and whether their parents go to chapel, or, unfortunately, to no place of worship at all. There will be 20 Free Scholarships open annually to all the other elementary schools in the neighbourhood. This controversy has been fomented by appeals to the Liberation Society for resolutions of sympathy, and also by the most violent attacks on the Kilburn Sisters. Of course it does not come within my province to take up the cudgels on behalf of the Kilburn Sisters. It may be that their great zeal has somewhat outrun their discretion. I would, however, point out that they came to Salisbury by invitation, and by an arrangement with the managers of the free school. It was arranged that if, at the end of a year, the work of the Kilburn Sisters was not appreciated and satisfactory, the managers of the free school could take over the premises at a valuation. The treatment which the Education Department has meted out to the supporters of the existing schools has not been especially favourable. The educational wants of the city have been met in the promptest and most liberal manner. Out of the £14,000 required to place Salisbury on an efficient educational basis, £13,000 has already been subscribed. The contracts for building new schools were made in such a way that actions could be brought against the contracting parties if the work was not proceeded with or the money not forthcoming. I have myself inspected the new schools, in company with others who are far better able to judge. We found they were built in an admirable way, and that they met in every respect the requirements of the Department. If hon. Members will take the trouble to look at the map of Salisbury, in the Library, they will find the schools so situated that no child in Salisbury has to walk as much as one mile, or anything approaching it, to attend his or her school. I think that in the city there is a perfect choice of schools, and perfect liberty of conscience, and I would submit to the House that on no ground, either educational or sentimental, ought any censure to be passed upon the action of the Department, or upon the wishes of the citizens. In my humble opinion, the time of this House is being wasted

upon a local dispute, into which a great deal of sectarian bitterness has been interposed, and where I have no hesitation in saying that the law, both in its letter and in its spirit, has been fairly and justly administered, and, so far from the Educational Department having specially favoured Salisbury, I would go so far as to say that in some of its demands it has been almost arbitrary and exacting. I cannot see any legal or moral reason why the School Board should be called upon to spend thousands of the ratepayers' money when the cost of providing for the education of the children is readily, willingly, and cheerfully supplied from private sources.

*(6.5.) MR. CHANNING (Northampton, E.): The hon. Member for Salisbury (Mr. Hulse) has spoken of the debate as the airing of a local dispute in the House of Commons. I venture to say that anyone acquainted with the history of the educational controversy is aware that the debate which my right hon. Friend has started, not only raises points of importance to the two places to which it relates, but also involves the most important principles. I will not go into the details of the matter, as they have been exhaustively dealt with by my right hon. Friend (Mr. Mundella), but I would point out that one practical result of the action which has been taken at Salisbury is that the building arrangements of the new schools will be carried out on the eight feet principle of the voluntary schools instead of on the ten foot principle of the Board schools. The hon. Member (Mr. Hulse) claims to act on the principle of a bare majority on this question of religious education. That brings us exactly to the point of this debate. The result of the action of the Education Department is that in a place which actually has a School Board the state of affairs is pushed back to what it was in 1870, when Mr. Forster's first proposals were put before the House, and before the discussions which finally resulted in the adoption of the Cowper-Temple Clause. But it is even worse than that, because the principle of compulsion has now been introduced, so that the children of Nonconformists are forced to go to schools where the religious education given is contrary to their principles. The noble Lord the Member for Rossendale (the Marquess of Hartington), in the notable speech he delivered when Lord Sandon's Bill was before the House said—

> "What is the position of Nonconformists under the Bill? They were forced, for the first time, to send their children to schools of the character of which they did not altogether approve. . . ."
>
> "They were called upon to submit to these disadvantages in the name of educational progress, and as the logical consequence of the legislation of 1870."
>
> "Who are the persons to whom I have been thus referring? Are they persons of whose feelings, sympathies, and prejudices the House ought to be negligent?"

They had done much for religion and morality. They had done much for the Constitutional liberties of this country.

> "These are men whose feelings and prejudices cannot be safely neglected by either side of the House. I should have thought if not justice, at all events, generosity, would have led those having at their command a powerful majority to consider carefully the feelings, and even the prejudices, of these men."

The hon. Member for Salisbury says there is no intolerance in Salisbury, but that the Bishop has been most anxious to foster a Christian spirit. I challenge that statement most emphatically. I say there is intolerance when you deny to the Nonconformists an opportunity of having a school where they can receive that simple Bible teaching and training which Nonconformists are accustomed to, and which they demand; and when you force the children of Nonconformists to go to a school such as that started under the auspices of the Kilburn Sisters, at which the children have either to listen to religious teaching which is based on the doctrine of transubstantiation, the doctrine of auricular confession, and many other doctrines of that kind, or to protect themselves by putting in operation the Conscience Clause. I have not one word to say against the work of the Kilburn Sisters in general. I know something of it, and I believe these Sisters are doing noble and good work in the country amongst the poor; and, that being so, I ask why should they leave this good work and enter on this miserable battle of sectarianism and attempt to obtain a monopoly of the whole religious teaching of a city? Why

should they look with such jealousy on the wishes of the Nonconformists to have a simple Bible teaching? I might quote from the books and pamphlets issued under the auspices of the Church Extension Association to show the lengths that association will go to misrepresent the action of the School Boards in regard to religion. We have always supposed that the Act of 1870 placed a great engine at the disposal of the Education Department, in order to maintain religious equality, in order to give a fair chance in these matters to every section of the community. We have a right to challenge the action of the Education Department when we see they are throwing the whole weight of their official power into carrying out this bitter spirit of sectarian propagandism. What the Nonconformists wish is excellently explained by Cardinal Newman, in the following words:—

"These are only denominations, parties, schools, compared with the National Religion of England in its length and breadth. 'Bible religion' is both the recognised title and the best description of English religion. It consists not in rites and creeds, but mainly in having the Bible read in Church, in the family, and in private. Now, I am far indeed from undervaluing that mere knowledge of Scripture, which is imparted thus promiscuously. At least, in England it has to a certain point made up for great and grievous losses in it Christianity. The reiteration again and again in fixed course, in the Public Service, of the words of inspired teachers under both covenants, and that in grave, majestic English, has, in matter of fact, been to our people a vast benefit. It has attuned their minds to religious thoughts and has given them a high moral standard. It has served them in associating religion with compositions which, even humanly considered, are among the most sublime and beautiful ever written; especially it has impressed upon them the series of Divine Providences in behalf of man from his creation to his end; and, above all, the words, deeds, and sacred offerings of Him in whom all the Providences of God centre. It has been comparatively careless of creed and catechism, and has, in consequence, shown little sense of the need of consistency. What Scripture illustrates from its first page to its last, is God's Providence, and that is nearly the only doctrine held with a real assent by the mass of religious Englishmen. Hence, the Bible is so great a solace and refuge to them in trouble. I am not speaking of particular schools and parties . . . but of the mass of piously-minded and well-living people in all ranks of the community."

The result of the action of the Department has been, in Salisbury and York, to deprive the children of Nonconformists of just that simple Bible teaching, the value of which that distinguished English Roman Catholic, whose words I have quoted, recognises. We are asked to allow a simple majority on a School Board to decide what the religious teaching is to be. I must say in defence of the Dissenters of the country that they never have been intolerant, and they are not intolerant now. They have rather been too tolerant in their action in regard to education. They have consented to compromise after compromise. In 1870 they were satisfied with compromises which experience has amply proved had no real basis, and afforded no protection of their rights. Now, with regard to Salisbury, I am free to admit that the actual letter of the law is on the side of the Education Department. I only charge the Department with breaking the real spirit of the education proposals of 1870, the spirit of fair play and a generous interpretation of the rights of the different sects in the community. As to York, I assert that the letter which has been quoted in full by my right hon. Friend must be interpreted as a legitimate requisition sent to the York School Board. We not only have the opinion of two of the most eminent lawyers in the country that under Clause 10 of the Education Act, where a Board is constituted to supply deficiency of school accommodation, it is absolutely the duty of the Education Department to issue a requisition in due course. We not only have that contention supported by the opinion of Lord Herschell and the right hon. Gentleman the Member for Bury (Sir H. James), but we have the letter of the Department. I challenge the Vice President of the Council to state how that letter can be explained except as giving the actual directions, which are equivalent to a requisition. It seems to me as absurd to challenge the description of that as a legitimate requisition to the York School Board as it would be for anyone to challenge the form of a notice to quit so long as the intention was manifest, and because it was not given on the usual printed form of the estate, or because it was written in a less formal manner than usual. But the cases of York and Salisbury do not stand alone. Even in the last few weeks there has been an extension of the war to Notting-

ham. The people of Nottingham returned a Church majority of one upon the School Board, and the other day the majority passed a resolution asking the Education Department to sanction the giving of grants to a school belonging to the Kilburn Sisterhood, or the Church Extension Association, which school is in a district where it is perfectly notorious there is an immense surplus of School places already. There are no less than 850 places vacant in Church schools in the immediate neighbourhood of the proposed Kilburn Sisters School. Taking into calculation a small school erected by the School Board there are 1,150 vacant places. That shows the real spirit with which we have to deal. This is a war carried on against the School Board system, against religious equality, against the rights it may be in some places, as in Salisbury, of a minority of the community. I heartily support the Motion.

(6.25.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): The hon. Member for Northamptonshire (Mr. Channing) and the right hon. Gentleman (Mr. Mundella) who introduced the Motion, spoke of what they called a bare majority. Let me remind them that when certain Members of the House put down a Motion about a bare majority, it was said that no such thing existed.

MR. MUNDELLA: I did not say a bare majority; I quoted the exact figures.

MR. STANLEY LEIGHTON: Now, four to three is a very large majority; indeed, it is a larger majority than that which governs the country at the present time. Moreover, the minority in the case of Salisbury is very much smaller than the right hon. Gentleman would have us believe. It is fair to suppose that when the Nonconformists of Salisbury prepared the petition which they put into the right hon Gentleman's hands, they endeavoured to get every vote they possibly could. How many did they get? They got 3,000. But how did they collect the 3,000? They went to the ministers of the Nonconformist chapels, and each minister signed for the whole of his congregation. In the same way the Dean of St. Paul's signature may be taken to represent 10,000 signatures. Such is the way in which figures are cooked in Salisbury. It must be understood that the majority is not a casual majority, but a majority of people who have voted on this question for the last 20 years, and have always outvoted the Nonconformists. They have done that because there is ample school supply, and because they do not want additional burdens to be thrown on the ratepayers. I think the right hon. Gentleman and his friends should trust the people a little more. Surely the people of Salisbury are worthy of the confidence which is placed in them by the Education Law which declares that they shall have the responsibility of supplying the education required by them. At all events, this new idea is quite contrary to the opinion of the society over which the right hon. Gentleman (Mr. Mundella) presides—the British and Foreign School Society—for that society protests against the notion that Local Bodies can throw on the Department responsibilities which attach to themselves. I do not propose to say much with regard to the law of this question, because the hon. Member for Northamptonshire declared that the law was against the contention of the right hon. Member for Sheffield.

*MR. CHANNING: Only as regards Salisbury.

*MR. STANLEY LEIGHTON: I am speaking of Salisbury. For a long time all precedents have been against the right hon. Gentleman. Almost in every case where School Boards have desired that educational provision shall be made by Voluntary Bodies, it has been made by such Bodies, and so strongly has this been asserted in the practice of the Educational Department that in Yorkshire a Board school has been suppressed and a Voluntary school allowed to take its place. That, I believe, has been done in other places; at all events in many towns in England besides Salisbury, and where there are no School Boards whatever. Why are we to over-ride the wishes of the majority in the locality? The British and foreign schools were supported by the society, and why was the support withdrawn? Why were they disestablished in Salisbury? Other religious denominations were quite willing to supply the managers with all the money necessary to keep on the

admission conditions of the British and foreign schools. I should like to know whether the right hon. Gentleman had anything to do with the suppression of the schools of the society of which he is President. I think it was because the British and Foreign denominationalists thought they could get the religious teaching they desired propagated at the expense of the ratepayers and not at their own expense. This is not a question between religious and secular education, it is a question between one sort of religious education propagated at the ratepayers' expense and whether those who support this particular form of religious teaching shall pay for it themselves. The British and Foreign Society for spreading religious education is founded on a religious basis, its efforts are directed to the promotion of religious education, the children in its schools are enjoined to attend religious worship, and the religious teaching it provides is a cardinal point pressed upon its supporters. But they think now that the School Board form of religious teaching is the same as that professed by the British and Foreign Society of which the right hon. Gentleman is the High Priest. Like all new sects they are propagandists, and wish to force their religion on unwilling receivers. The right hon. Gentleman has complained that outsiders have come in and filled up deficiencies at Salisbury. He has complained of the action of the Kilburn Sisters. I should have thought that they might have been spared. These are a society of philanthropic ladies, who have done great service in schools and orphanages, and I think they might have been spared this attack. Why does the right hon. Gentleman complain of the action of outsiders? I should like to ask him are not he and his society outsiders sometimes? Why, this society of his have taken upon themselves the responsibility of providing schools all over England, in the colonies, and abroad, and are they not outsiders? How can he, their President, come here and complain of outsiders, who, he says, have no right to supply school accommodation? Why, his society have gone as far as Armenia. I should like to know whether the public opinion of Armenia is in favour of the schools he supports? They certainly do express a doubt whether their denominationalism is satisfactory to Jews and others, but this Denominational Society think it is very hard that any other denominationalism but themselves should support schools which they think are of a religious character and deserve support. I only wish the right hon. Gentleman could see himself as others see him. He complains of the Bishop of Salisbury who has come forward and built and endowed a school. He objects to that, and it certainly is very different from his own line of action, for, when I look over the list of subscribers to the British and Foreign Bible Society, I declare I can hardly find his own name amongst them. I daresay he complains of the liberality of other men who think they ought to support their own opinions not only by voice but by purse. The example of the Bishop of Salisbury is one that deserves great commendation, and I hope it will be followed throughout England to the advantage of education, religious and secular.

*(6.35.) Sir W. HART DYKE: The right hon. Gentleman who has brought this Motion under the notice of the House did, in doing so, range over a very wide field, touching incidentally on a vast number of topics, some of them, it seems to me, having little or no relation to the Motion. He referred to the compromise arrived at in the Act of 1870, and to the various criticisms to which that Act had been subjected. Well, there can be no doubt, as the right hon. gentleman argued, that a compromise such as that must meet with critics on both sides when it comes into operation; and, for myself, I am not quite sure that the adverse criticisms the Act has undergone from both sides has, during the last 20 years, been a disadvantage. The right hon. Gentleman has given us a historical survey of the Department over which I have the honour to preside, a Department which, like the Education Act, has its critics. It is right that this should be so, but when he seems to indicate in the faintest degree that the permanent officials of the Department are in any possible sense responsible or liable for any action I, or anyone in my position, may have taken, I am sure that that is not a proposition he would wish to state.

MR. MUNDELLA: No, I make no such suggestion. I entirely disclaim it.

*SIR WILLIAM HART DYKE: The right hon. Gentleman has referred to the late Mr. Cumin, and I join in the expression of regret for the loss the public service sustained by his death. I am quite certain no more conscientious or laborious servant ever entered the Civil Service, and it may be said truly that he "died in harness." So much for the Department. And then the right hon. Gentleman dealt with other matters, which, if not exactly foreign to the Motion, were thoroughly extraneous in their nature; and it seemed to me that the points and difficulties urged were not so much in elucidation of his Motion before the House, which is in the nature of a Motion of Censure upon the Department, as addressed against the root and principle of the Act of 1870. He spoke of the action of the majority, and though, as he said just now, he did not mention the exact figures of that majority, at any rate he did indicate in his speech that there was something of a grievance that might fairly be urged on behalf of the minority at Salisbury. Now, I do not say that I endorse every action taken by the majority at Salisbury; it is no part of my duty to do so; it is beside the question, and forms no part of the defence I have to make; but it seems to me that in regard to the position of majority and minority, we who sit in this House should be the last to complain of the working of the system. Why, do not the right hon. Gentleman and his friends daily, almost hourly, assure us that they only require an appeal to the country to be placed in a majority, and therefore in power? What would he say if, as he—I think wrongly—predicts, that that appeal should result in his favour—suppose by any accident he should find himself in a majority? How would he receive our complaint that we were not allowed the luxury of administrative and legislative functions? It is manifestly absurd, but I do not think it is an extravagant way of illustrating the position urged on behalf of the minority in the City of Salisbury. After all what is the grievance? The relative positions of majorities and minorities are the very essence of the Act. After all, the very worst that can be made of the grievance is that the majority of the School Board in the City of Salisbury — did what? They obeyed not only their own instincts, but the wishes of those who placed them in their representative position. The right hon. Gentleman has descanted on the action of the Kilburn Sisterhood, but that is very far afield of the question before us. If he can show me any section, any line in the Act of 1870, or of succeeding Acts, which indicates that the Department shall step in, on any possible occasion, at any instant, and say that when a deficiency is supplied by voluntary agencies, that it shall not be done by the action of external agencies, then he might have something to urge in this respect. I may come somewhat near the right hon. Gentleman in regard to his opinion of the tenets held by the Kilburn Sisterhood, but that is beside the question. If there is any grievance whatever in a school that is taught by the Kilburn Sisters being unfit for the children of Dissenters, those who feel the grievance should propose the Amendment of the Act of 1870, and of the protection therein provided, which has stood the test of 20 years. The criticism of the right hon. Gentleman is far afield altogether from his Motion of Censure upon the Department. What is the Motion before us? It is practically a Motion of Censure on the Department with which I am connected, because in two instances, in two localities in supplying accommodation demanded the Department has availed itself of accommodation offered contrary to the spirit and intention of the Act of 1870, and in a manner prejudicial to the interests of education. The right hon. Gentleman has said something pointing to the delay he said had taken place in the operation of the Department in regard to these cases. I should like for a moment to recall to the House what is the guiding principle that Mr. Forster urged, and is still applied, to the Act of 1870, that the School Board system is to supplement and not to supplant voluntary effort. If hon. Members who have followed these discussions will refer to one or two clauses of the Act, they will find that the tendency is clearly shown. For instance, when the first notice is given that accommodation is to be found what is the

month's notice for? And what is the further delay of six months after the final notice for—when Mr. Forster introduced the Act the period was 12 months? What does this mean? Simply to give voluntary effort the opportunity to fill up the gap. It is only after this appeal to voluntary effort has been found to be fruitless that the Department is to step in and take the necessary means for supplying the deficiency through the agency of the School Board. That is the foundation and essential part of the Act the Department is called upon to administer. The right hon. Gentleman has gone over a long history, extending over an hour, of the Salisbury case, but through that long history I do not need to follow him, and there is little to induce me to do so in support of my point that the action which has been taken in the present case by the Department is entirely within the spirit of the Act. I join issue with the right hon. Gentleman on the point that when notice had once been given, the deficiency was to be filled up, not by means of voluntary effort, but out of the rates. There was some indication of that view in the earlier part of his speech, though the contention absolutely broke down towards the close. I can show that by the action taken by the Department the deficiencies in this case were filled up in much less time than would have been the case had the whole action been left to the School Board, and that the Department, in allowing these vacancies to be filled up by voluntary effort, acted strictly within the meaning and intention of the Act. Here I may quote from the evidence given by Mr. Cumin before the Royal Commission. He, being asked whether after a School Board is established the School Board may accept voluntary support, replied—

> "The point has never been submitted to the Law Officers, but the practice of the Department has been to accept such voluntary provision."

Therefore, so far as the Department is concerned with the case at Salisbury, I might sit down at this moment. The correspondence which has taken place on the subject shows that the steps taken prove that the Department carried out fairly and fully the provisions of the Act by seeing that the necessary accommodation was supplied. The British School was closed in December, 1888, and thereupon there was an offer from the Church Day School Association in Salisbury, a most generous offer from the Church party to pay off the debts of the managers of the British Schools, to subscribe liberally towards any building that might be necessary, and subscribe annually towards their maintenance, while leaving the whole management in the hands of the Nonconformists. A new School Board was elected, and the whole question of school efficiency was before the electors. The denominationalist party by their action in closing the schools tried to force the hands of the Church party. I do not stay to question the propriety of the proceeding, but it was done to provoke a crisis. In April, 1889, the Department required the School Board to take these matters into consideration, and after further correspondence on May 16 the School Board replied by a majority of four out of seven they had adopted the scheme of the Church Day School managers to supply the deficiency. The letter of the Department (June 19) the right hon. Gentleman has already quoted. Both the letter of the Department and the reply of the Board bear the strongest evidence of a determination that the deficiency in school accommodation should be filled up. The language in the letter of the Department has, indeed, been commented upon by some of our friends in Salisbury for its harshness, but the reply of the School Board fully indicates their sense of the responsibility of their position. The result was—and this is the reply to the criticisms of the right hon. Gentleman on what he calls the inaction of the Department—that within 12 months of the election of the School Board the whole of the deficiencies were supplied. The right hon. Gentleman has said that it is the duty of the Department to—

> "Provide such accommodation as in the opinion of the Department is necessary to supply the deficiency in school accommodation."

I venture to submit that the Department fully complied with that requisition, and have discharged their duties with due despatch. In no case where a School Board has had to supply a deficiency has it ever been supplied in less than 12 months. I

hold in my hand a list of some dozen cases taken at random, the smallest interval is 14 months, and the period has sometimes extended to three years. I do not think that the Department can be blamed, because they have paid due regard to the wishes of the locality in this matter. In that, again, the Department have acted within the spirit and also within the letter of the Act of 1870. Why were School Boards made elective bodies? I apprehend that they were set up by the Act of 1870 to give the localities free expression of their opinions with regard to their educational affairs; and to say at the present time, 20 years after the Act has been in operation. that the localities are not to be allowed to express their wishes in the matter is absurd. Further, I think we have acted on what is almost an axiom of the Department that every public elementary school (*i.e.*, whose educational efficiency is recognised by the Department, and which is protected by the Conscience Clause) is *ipso facto* a suitable school. We have acted entirely within the meaning and intention of the Act and the principle of legislation it contains. I think I have established my case that the Department in no way acted outside the scope of the Act, and proceeded with all despatch to supply the necessary accommodation at Salisbury. And now I should like to refer to the other case mentioned, the importance of which I admit. Now, I am prepared to deny the accuracy of some of the observations with which the right hon. Gentleman prefaced his observations with regard to the educational condition of the City of York. He said that the education and the structural state of the schools there are bad; but I can assure the House that I have no evidence from the Inspectors—and that is the only evidence I have to to go upon in all these matters—that the education there is bad nor that the structural state of the schools is unsatisfactory. The question of the need for accommodation at York was first raised by the Department in 1887. A long inquiry ensued, and the first notice was issued on January 23, 1888, in which further accommodation was declared to be necessary for 600 scholars. After a long correspondence the final notice was issued by the Department on May 22, 1888, the accommodation declared necessary now being raised from 600 to 1,000, this being on account of a threat of discontinuance held out by the managers of the Hope Street British School. Subsequently, on January 22, 1889, an order for the formation of a School Board was made. The whole of this case hinges upon the question whether it was or was not necessary that the Department should issue a requisition—that is, exercise the power by which it can compel a reluctant School Board to do its duty. If a School Board declines to do its duty then the Department can put in force a requisition and insist on the Board fulfilling its obligations. Now, at the time the final notice expired voluntary efforts had been made to fill up the deficiency; 248 places had already been supplied, but, beyond that directly the School Board was elected they set about supplying further vacancies, and later on they sent plans to the Department by which they proposed to supply places for no fewer than 659 scholars. Therefore, the House will observe that at this very juncture when the right hon. Gentleman urges that the Department should have issued their requisition, all the school places except 93 had either been supplied or were in course of being supplied with due despatch, and therefore it becomes a very arguable point whether it was proper in these circumstances to issue the requisition or not. It is clear that efforts were being made to supply the deficiency by voluntary effort. The deficit of 93 places was, after all, only an apparent deficiency, because it was actually in process of being supplied at the very date when the Department had to decide whether it should issue the requisition. I am aware that Mr. Cumin took a different view from what some of us took on the point. It was decided to refer the matter to the Law Officers of the Crown, and the Law Officers held that as the deficiency mentioned in the final notice had either been fully supplied, or was in course of being supplied with due despatch, it was neither the duty nor within the power of the Department to issue a requisition. There I am content to rest this case as far as the House of Commons is concerned. The Willesden case to which the right hon. Gentleman

has referred is not on all fours with the present one, because there the requisition was issued, and so the School Board were obliged to do their duty, notwithstanding that voluntary efforts were being made to fill up the deficiency. The *crux* of the question is, was it the duty of the Department to issue the requisition. I submit that it was not, because they were met at every turn by voluntary efforts to supply the small balance of the deficiency, which was not covered by the direct action of the Board. The right hon. Gentleman has stated that the Department was acting without precedents. From all I can discover, I believe the right hon. Gentleman, when at the Education Office, dealt fairly and justly in regard to the voluntary school system. In the early days of his residence at Whitehall, however, the right hon. Gentleman might have had a chance—I believe it was not put before him—of showing his zeal in the way of dealing with the spirit and letter of the Act of Parliament. There was a school district in Wiltshire as to which a final notice was issued requiring additional accommodation for 100 children, and an order for the formation of a School Board followed. A letter was written afterwards by the Department saying it would be necessary for the Board to supply this accommodation. This matter was considered soon after the right hon. Gentleman was at the Education Office, and a Minute was written under the express sanction of one of the principal permanent officials accepting, with the concurrence of the School Board the enlargement of the national school as meeting all requirements.

MR. MUNDELLA: Will the right hon. Gentleman say that that Minute came before me?

*SIR W. HART DYKE: I have already made the reservation in favour of the right hon. Gentleman that it did not come before him. If it had, what a splendid chance it would have been for him! Hon. Members cry "Oh, Oh," but this quotation is my reply to the right hon. Gentleman's challenge that we have no precedent for our action. I say there are ample precedents. There was a case also at Todmorden where voluntary aid was accepted in a similar way, and the Department sanctioned the step. Each of those cases, I submit, forms a precedent for the action of the Department. I am grateful to the House for the patience with which it has listened to me. I do not wish to weary hon. Members, but I do venture to submit that when the House of Commons is gravely asked to censure the Department for dereliction of duty, better evidence and sounder material ought to be presented to it than is furnished in the speech of the right hon. Gentleman. I contend that the Department has acted within the spirit and letter of the Act of 1870, and has done its duty not only as regards the administration of the Act, but as regards the cause of education which it represents in the House.

(7.15.) MR. H. H. FOWLER: I do not wish to intervene at any length between the House and the Division which hon. Members are anxious to take, but I should like to point out that this debate has thrown a very strong side-light upon the next step which we shall be called upon to take in the education question. What has happened at York, at Salisbury, and at Whitehall, will, I think, form powerful arguments when the question arises whether the system of the future is to be assisted education or free education. The right hon. Gentleman has defended his case with remarkable ability and remarkable fairness; but the point on which my right hon. Friend and myself are at issue with him is that the Department, in the case of Salisbury, had a discretion which they did not exercise in accordance with the spirit and intention of the Act or with a due regard to the rights and interests of minorities; and that, in the case of York, according to the opinion of the late Lord Chancellor and my right hon. Friend the Member for Bury, a duty was imposed on the Department which was not discharged. In both cases the effect of the non-exercise of discretion and the refusal to discharge the duty has been to hand over the entire education of the children to one religious denomination. A good deal has been said about the voluntary schools; but hon. Members seem to have ignored the fact that, after all, the country pays the main cost of carrying on these schools. I have recently been looking into the Report of the Education Department, and I find that, at Salisbury,

£1,300 is paid out of the Consolidated Fund. If to that the school fees are added of the 1,500 children in average attendance, it is clear that the voluntary contributions are exceedingly small. As to York, we have the figures. There £10,000 is received from public funds, and the entire voluntary contribution is less than £800. Remember, we are now dealing with a system of education under which, if people do not send their children to school, you can imprison them. Yet in a case where the public contribute £10,000 and a denomination not much more than £700, you are vesting the sole control of the schools in that one religious denomination. These are not the figures of York and Salisbury alone. The entire educational expenditure of the country is about £7,000,000, of which the voluntary contributions—the contributions from the Church of England, the Roman Catholics, the Wesleyans—in fact from every Dissenting body—only amount to £746,000. In Salisbury and in York the Department has had really to deal with public schools—schools that are public in the sense that parents can be compelled to send their children to them, and in the sense, too, that they are supported out of public funds. But the Department has disregarded the interest of the minority, and it has evaded its own responsibilities. Why is it that discretion is vested in the Department? It is to protect the minority, which in some cases might be the Church of England, in others the Roman Catholics. It was said that Mr. Forster's idea was to supplement and not to supplant voluntary effort. That was no doubt so, but Mr. Forster's Act was passed in 1870, and we are living in 1890. I object to stereotyping Mr. Forster's opinions of 1870, and making them permanently control the policy of the Education Department, just as much as I should have objected to stereotyping the Reform Bill of 1832, and so have prevented the passing of the Reform Bills of 1867 and 1884. You will have to go a long way beyond Mr. Forster's system. What is the meaning of all these delays in concluding contracts? What is the meaning of the action of those philanthropic and highly estimable ladies—the Kilburn Sisters? What is the real reason at the bottom of the action of the Bishop of Salisbury? The Bishop has said that he intended to oppose the erection of a School Board school at Salisbury because he objected to a colourless and unsectarian ratepayers' religion. One hon. Member who spoke in this debate said that what the Dissenters wanted was a sort of religion propagated at the ratepayers' expense. He called it a School Board religion, and spoke of my right hon. Friend as the high priest of this new denomination. I think that is one of the most lamentable features in this controversy. I am as strong an advocate of religious education as the Bishop himself, and I should be sorry to see a national system of education in this country divorced from religious teaching. I think that it is a great calamity that the clergy of the Church of England have taken up so strong an attitude against the School Board system. I remember that I supported a resolution, moved by the First Lord of the Treasury when the right hon. Gentleman was a member of the School Board, and that resolution forms the basis of the School Board religious teaching throughout the length and breadth of the land. I am sure that when the right hon. Gentleman approaches the close of his public life—and I hope that that day may be far distant—he will be able to recall no act upon which he can look back with greater satisfaction. Lord Harrowby got a Return presented to the House of Lords the other day on the question of religious teaching in Board Schools, and from it I find that out of 2,000 Board schools there are only 21 from which religion is excluded. But what Nonconformists object to is not the teaching of Church of England doctrine to Church of England children, but the propagation among Nonconformist children of the notion that Nonconformity is a wicked idolatrous sin. I have in my pocket a catechism in which that is taught.

*Mr. F. S. POWELL (Wigan): Will the right hon. Gentleman name the Catechism?

Mr. H. H. FOWLER: Certainly. It is Mr. Carr's well-known book of *Questions on the Church Catechism*. But I am not going to trouble the House with extracts from it. I only want to make clear the

Nonconformists' position; they object to that sectarian exclusiveness which censures Nonconformity as such, and I believe if that sectarian element which is carried to extremes were swept out of the way we should hear little of these disputes. But whether I am right or wrong in that, I say that the Nonconformists of Salisbury had a right to have an unsectarian school; and we assert that if the Department had exercised the discretion vested in it, with a due regard to the rights of the minority, such a school would have been provided both at Salisbury and at York. In the case of Salisbury, no doubt the Church built the school, but I have shown that it was chiefly maintained out of the public purse and the fees of the children. I admit that the right hon. Gentleman opposite has proved his case technically in the case of Salisbury; but I cannot make that admission with regard to York, as to which the right hon. Gentleman was in conflict with the late Mr. Cumin and the Law Officers of the late Government.

The SOLICITOR GENERAL (Sir E. Clarke, Plymouth): No, no.

Mr. H. H. FOWLER: I am at a disadvantage in dealing with the hon. and learned Gentleman, because he knows the rule of the House is not to lay such opinions on the Table of the House. I think that upon any principle of constructive evidence we may easily arrive at a conclusion as to what was the opinion of the Law Officers of the Crown. We take our stand on that opinion, which is clearly confirmed by the evidence of Mr. Cumin before the Royal Commission, and we say that this is a case in which this House ought to interfere, not by way of censuring the right hon. Gentleman personally, but by recording its judgment that the action of the Department was strained in the interests of one section of the community to the disadvantage of another.

(7.31.) Mr. PICTON (Leicester): I am sorry to intervene between a hungry House and the pending Division. Nevertheless, I wish to say a word or two in reference to the case put forward by the hon. Member for Salisbury (Mr. Hulse). I visited Salisbury last year at the request of a minority of the hon. Member's constituency, and I feel bound to say, that while he has stated the case with fairness and moderation, he left out some facts which ought to have been stated before the House was asked to come to any conclusion on the subject. He referred to the Liberation Society. The Liberation Society has had neither directly or indirectly any dealings with this matter. I was invited to go to Salisbury by a number of working men, who acted entirely on their own discretion, without advice, suggestion or interference on the part of anyone outside their own body. They paid all the expenses and asked me to address them. I found that those working men had organised on a good scale a Liberty of Conscience Defence Association, and this in the Nineteenth Century! The working men felt called upon to enter into this Organisation to protect themselves and their children from unfair treatment. I asked them "Why do you require to do this? Have you no votes? Did you not elect a School Board a short time ago, and allow to be put upon it a majority of those who were opposed to your views, whereas you might have carried a School Board entertaining your own views had you chosen to have done so?" They replied, "You do not know the difficulty we have in voting as we wish." [*Cries of* "Oh!"] Hon. Members say "Oh," but I tell the tale as it was told to me, and they certainly proved their sincerity by the expense to which they had put themselves in organising and carrying on their Association. They said, "You cannot conceive the sort of pressure which is brought to bear upon the poor of this city." These men doubtless are poor, but they are honest, and when an honest man who is poor gives a promise he votes according to that promise, and I honour him for it. Of course they gave promises, and they voted according to them. I think their case is proved by the fact to which I will call attention. When the deputation which has been alluded to waited on the Lord President of the Council, he used these words, "The Conscience Clause is considered by the law to be an efficient guard against false doctrine." For my part, I never heard that the Conscience Clause was devised for such a purpose, but that is the statement made by a high authority. Well, Sir, the working men of Salisbury do not

find it so; they do not like the catechisms taught by the Kilburn Sisters. However good those Sisters may be they have no right to affect the consciences of the poor by what they regard as false doctrine, and which I think would be so regarded by many Members of this House if I were permitted to go into the matter. Hon. Members opposite, as well as on this side of the House, ought to have some sympathy for these poor men, who declare they are obliged to organise a Liberty of Conscience Defence Association beneath the shadow of a Christian Church. If this Motion is not assented to, I, for one, shall be glad to divide the House upon it.

(7.40.) The House divided:—Ayes 115; Noes 167.—(Div. List, No. 35.)

AGRARIAN RETURNS (IRELAND).

(7.48.) MR. CLANCY: I wish to call attention to the character of the Returns presented to this House regarding Agrarian Crime and Boycotting in Ireland; and to move—

"That the Returns presented to this House regarding Agrarian Crime and Boycotting in Ireland are misleading, unreliable as basis of comparison, and in some instances false and fraudulent; and that this House is of opinion that, if those Returns should be further continued, the compilation of them by the police ought to be checked by one or more independent authorities, and that they ought to be accompanied by such details as would enable the people of the localities concerned to test their reliability."

The subject, Sir, which I desire to bring under the notice of the House is to my mind of great importance. The Ministerial claim is not that the result of their policy has been to conciliate the Irish people. Recent events prevent such a claim being made. It is a remarkable fact that although several elections have taken place in various parts of Ireland since the introduction of the Coercion Act, yet at every one of these elections Nationalists have been returned without opposition. Similar results have attended Municipal elections, whether in Dublin or any other part of the country. These results show that the Government have not conciliated the Nationalist sentiment, and have not succeeded in any degree in winning over the Irish people to a belief in Unionist principles. The claim of the Government, however, is that they have won over a considerable proportion of the people of Ireland to their policy, and that they have sensibly diminished crime and especially boycotting—in fact, they claim that crime is diminishing to a vanishing point, and that boycotting has ceased almost altogether. If you deny that Ministerial claim, there is absolutely nothing left that the Government can claim as the result of their policy. It would not be much of a claim if it were admitted. It does not follow, because you have suppressed or prevented, that you have extirpated crime. Lord Cowper used the famous phrase that he had "driven crime beneath the surface." True, he did; but it was only to rise again in due season in rank and luxuriant growth. At the preliminary investigation into the Phœnix Park murders, the evidence of James Carey was that when crime had been driven beneath the surface by the arbitrary arrests of innocent persons all over the country, the Invincibles arose to right the wrongs of Ireland in their own way. The claim of the Government is founded on Returns presented to this House for the past 20 years. Now, those who have inquired into the forgeries question recently will remember that the main count in the indictment against the Land League was founded upon the supposed prevalence of crime as the result of agitation. There are various columns of figures in the Return which, if genuine, show a remarkable increase of crime at certain periods, and a decrease equally remarkable at other periods. The right hon. Gentleman the Member for Bury made a great point of this a few nights ago, and he referred to the increase of crime after the establishment of the Land League and before the Coercion Act of 1882 was passed, and the decrease after the passing of the Coercion Act. Considering all these circumstances, I think no one will dispute the importance of the subject. With a brief interval, the administration of Irish affairs has been anti-national, anti-Irish, and Tory in character. No matter whether a Liberal or a Tory Government has occupied those Benches. The only intervals in which

there has been a departure from that method of administration was during the administration of the Earl of Aberdeen and the right hon. Gentleman (Mr. John Morley), who introduced a grateful and welcome change. But almost from the time of Lord Fitzwilliam's recall, or the time of Thomas Drummond, the administration of Ireland has been such as to suppress the national aspirations. I propose to go back very briefly over the last 20 years, and, ask in the first place, what happened in the year 1869? I base my remarks not on the *ipse dixit* of Liberal statesmen, but upon the unimpeachable authority of the right hon. Gentleman the present Chief Secretary for Ireland —an authority which will not be disputed, at least on the other side of the House. The right hon. Gentleman in his Memorandum of the 9th May, 1887, said that after what had happened in 1869, special and new methods of enumerating certain offences were adopted, which greatly multiplied their number. I have to observe that when the Unionist speakers go through the country comparing the present time with 20 years ago, they do not experience the difficulties here mentioned. It comes to this, that what would be now described as two or three offences were then described as 60 offences. Accordingly, the House will be prepared for the information that the agrarian crimes of Ireland rose from a monthly average of 29 to one of 305 in five months of 1869-70. I call that a false and frudaulent statement of the agrarian crimes of Ireland. The explanation is perfectly simple. The noble Lord the Member for Rossendale (the Marquess of Hartington) was the Chief Secretary for Ireland. He wanted a Coercion Act, and he wanted a case for a Coercion Act, and he got his case and he got his Act. With this Memorandum before me I say he got the Act by false pretences, put into his mouth by his subordinates in Dublin Castle. What happened then? It was necessary at first to make a case for a Coercion Act, but when the Act was passed it was necessary to show that the Coercion Act had worked successfully and put down crime, and then every device that ingenuity could contrive was resorted to to decrease the number of crimes of violence. A device adopted was this—

"In 1871, after the Coercion Act had been passed, the previous system was again brought into operation, namely, to regard similar cases as only one of that kind when the outrages were perpetrated by the same party on the one occasion."

I call that another fraud on the public. First, when you want to make a case for a Coercion Act, you introduce a new system by which three offences are changed to 60, and then, when you want to make a case for the success of the Coercion Act, you revert to the system you condemned and reduce the 60 down to three. By this fraudulent way of enumerating the offences, agrarian crime sinks down to its former level, as if by magic. The next notable operation of the police and the Castle statistician was in 1880-81-82. In 1881-82 another Coercion Act was wanted, and again the police in Ireland were equal to the task of making out a case for one. The average of 29 outrages per month in 1869, rose in 1880 to 306, and in 1881 the total in that year reached 4,439. This was brought about by another series of frauds practised upon the British public and Parliament. I will try and set forth, as briefly as I can, the nature of these fraudulent transactions. The hon. Gentleman the senior Member for Northampton (Mr. Labouchere), in 1881 delivered a very able speech criticising the Returns Mr. Forster presented to the House of Commons in that year. He pointed out that the pettiest offences, such as damaging a barrel of tar, and taking a gate off its hinges, were put down as separate crimes, just as whistling the air "Harvey Duff" was regarded as an offence against the public peace; and it is remarkable that one result of the criticism of the hon. Member for Northampton on that occasion, was that no more descriptive details were furnished to the House of Commons. It was found that one such Return, descriptive of details, and giving some means of testing the reliability of the statistics, was too much for the Government of Ireland. It has since been impossible to derive from Returns such facts as were gathered from the Returns of 1881. However, there are not wanting means to attain the same object This is the way the Government statistician and the police went to work. On the 28th June, 1880, one man, named Lynch, was charged with five different simul-

taneous crimes. He was charged with an assault on John Hogan and Edmund Hogan, and with a robbery of arms from Edmund Hogan, with the administration of oaths to Edmund Hogan, and firing into the houses of Edmund Hogan and Thomas Hogan. The offence was committed on the same persons and on the same occasion, and out of this the police manufactured five different crimes. But that is not all. In connection with this case charges were brought against 12 men in all; they were all tried, and all were acquitted, but the five "crimes" remain on the list, and thus we have a double fraud practised on the British Legislature and the British people. We have, first of all, one offence multiplied into five, and then we find that the whole five were fictitious. On the 26th August, 1880, Michael Ryan was charged with an assault on two brothers, John and Amos. It has always been the custom to calculate several assaults perpetrated at the same time as one crime, but the police discriminated with a remarkable power of discrimination in this case, for they made two crimes of one offence. They first charged the man with an aggravated assault on John, and then charged him with intent to commit an indecent assault on his brother Amos. And not only was one crime manufactured into two, but the man charged was acquitted. It was found that the offence was practically never committed at all; nevertheless we have two crimes recorded just as if there had been two convictions. There is another piece of evidence which I do not consider unimportant in this connection. The best possible test of the existence of crime is the proportion of convictions. Police reports, after all, are only mere assertions, but judicial convictions are proofs. I find that in 1881, for 11,915 crimes there are only 2,600 convictions, or 22 per cent. Out of 4,439 agrarian crimes in the following year there were only 204 convictions, or 4 per cent. If these tables are examined it will be found that such a percentage as this was never heard of previously, and it cannot be pretended that juries were less hostile to British justice in such a year as 1867 or in 1870, or in 1874, when the Fenians were being tried in Ireland, than they were in 1880 and 1881. In those years the convictions reached 50 per cent., even though Lord O'Hagan's Act had not been amended. Since Lord O'Hagan's Act has been improved—that is to say, improved from the point of view of Dublin Castle—it has been as much in the power of the Castle to pack a jury as it ever was, and yet the percentage of convictions has become smaller and smaller. It seems to me that the police are on the horns of a dilemma in this matter. If they have been so unsuccessful in bringing about an improvement in crimes in 1880 and 1882 as to be 100 per cent. worse than previously, the conclusion we must arrive at is either that 100 per cent. of the crimes were imaginary or fabricated, or else they are on this other horn of the dilemma, that the police cannot detect crime and are useless as guardians of the peace. For my own part I incline to the former theory, especially when I find that 100 per cent., or a large percentage of crimes reported at Dublin Castle and transmitted to this House never took place at all; and I am all the more inclined to believe this when I know that in previous and subsequent periods crimes were undoubtedly fabricated for the purpose of passing Coercion Acts through this House. I have dealt in this matter not with information I have discovered for myself, but with information given by the right hon. Gentleman, which bears me out in what I say. The memorandum from which I have already quoted is most exquisite on this point. It says, amongst other things, that it would be an error to suppose that all outrages not returned as agrarian ought properly to be classified as agrarian, and that the Authorities in Ireland have been more and more strict in their requirements before they permitted any crime to be classified as agrarian. This is a confession that the statistics given previously have been misleading, and I, therefore, think I can claim from the Irish Attorney General approbation for at least one of the adjectives in my Amendment, namely, the word "misleading." The memorandum says that agrarian crime must be directly traceable to some specific motive connected with the land, and that cattle maiming, moonlighting, and such-like offences are not to be placed in the category. It says

that the process of narrowing the meshes through which crime is admitted into the Agrarian Returns has been going on for six years. This means that the principles on which crime is admitted into the Agrarian Returns varies from year to year. In face of an admission like that from a Gentleman on the Treasury Bench no one can pretend to regard these agarian statistics as in any degree a basis of comparison. I find that in the years 1880 to 1882 there were 102 homicides perpetrated, that in 1883-5 there were 56 and in 1886-8 there were 99. From these murders the Police Authorities have selected, on principles which vary from year to year, a certain number which they declare are agrarian. When they want to make a case for coercion they increase the number. Under these circumstances it is absolutely useless to talk of the Returns as furnishing any basis for comparison. But there is also absolute falsehood attaching to the comparisons. In 1883-5, although there were 56 homicides altogether, the police could only discover one agrarian murder. I am not in the habit of paying much attention to such publications as those of the *Loyal and Patriotic Union*, edited as they are by Mr. Houston, and copied regularly into *England*, but I want to show what absolute falsehood attaches to this process of enumerating crimes. The very year in which the police, desiring to show the success of the Coercion Act, could only find one agrarian crime the *Loyal and Patriotic Union* gave, with the names and dates, a list of no less than six agrarian murders which were perpetrated in Ireland. Again, I say that this is a fradulent return. A fraud has been perpetrated, in the first place, by increasing the number of crimes, in order to make a case for the Coercion Bill, and, in the second place, by decreasing crime, in order to show that the Coercion Act was necessary and had succeeded. There was a slight increase of crime in the year 1886. That is now put down to the National League, but the increase was so slight that the right hon. Gentleman the Chief Secretary (Mr. A. J. Balfour) in bringing in the Coercion Bill of 1887, did not lay any stress at all on it, but based his contention mainly on the return of boycotting and intimidation. If I am asked to give an explanation of the alleged increase of crime in 1888, I would unhesitatingly set it down to the desire of Dublin Castle to furnish a case for the coming Home Rule Bill of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone). In 1887, as I have said, the last Coercion Bill was introduced, and the Chief Secretary based his case on the increase of boycotting and intimidation. But I say that from that time to the present the process of "narrowing the meshes" has continued to go on. Cases are still kept out of the Agrarian Returns which would in other years be included in them, the purpose being to make out that the Coercion Act has succeeded in putting down crime. If I am rightly informed the crimes of 1888 are put down at 660. But that number is arrived at by excluding every single one of the offences tried in the Coercion Courts. As far as I can make out there are 1,500 crimes of that sort. I think the right hon. Gentleman the Chief Secretary is in this matter on the horns of a dilemma. Either the 1,500 offences are not crimes of any kind—in which case he is using the Coercion Act not to put down crime but to suppress political action and tenants' combinations—or they are crimes —in which case the Return he has presented is false, in not having included them. I come now to the last Return which I indict as false and fraudulent, and that is the Return of Boycotting. It has for some time past been the habit of Unionist orators on every platform in the country to declare that whilst 4,000 persons were boycotted in 1887, there are only 150 boycotted now. I myself in 1887 challenged the accuracy of the Boycotting Returns, and indicted them as false. At that time we pointed out that boycotting was either not accompanied and enforced by outrage and intimidation, or it was so accompanied and enforced. We pointed out that in the former case it was simply exclusive dealing, and, consequently, no cases of the kind ought to have been returned as crimes. In the latter case we pointed out that the Returns were proved to be a mass of fraud by another Return which had been presented to the House. That Return showed, for instance, that in the July quarter of 1887 there were 1,700 people boycotted, and yet there were only 17 cases of intimidation all over Ireland

whereas the cases of intimidation ought to have been numbered by thousands if 1,700 persons had been subjected to hourly and daily acts of intimidation. But what am I to say of the figures last presented to the House with regard to intimidation? Marvellous to relate, they have dropped down to 150. I declare that to be a most audacious fabrication. It is a fabrication within our own knowledge. Any of the hon. Members for the County of Cork will bear me out in saying that in that county alone there are 150 persons boycotted. In face of a fact like that I think the Government are called upon to afford us some means of testing the reliability of the Return. Neither in 1887 nor since have any names of persons or places been mentioned, and the reason given for withholding these means of testing the Return is, to my mind, conclusive proof of the fraudulent character of the figures. We are told that if the names of the boycotted persons were given they would be injured. I want to know how a person can be boycotted without its being known. The thing is absolutely ridiculous. The reason given is a miserable pretence and the merest humbug. I know it will be said that it is impossible to believe that the officials of the Government would engage in this work of fabrication, or that Ministers of the Crown could be found to sanction it. I myself find it difficult to believe that English gentlemen of either Party could be base enough to sanction acts of deliberate falsification and fraud. My explanation is this: Chief Secretaries go from time to time to Dublin Castle; they find the people on one side and the officials on the other, and, as they cannot or will not govern with the aid of the people, they are obliged to govern with the aid of the officials. Consequently, they throw themselves into the arms of the officials. They believe everything they tell them. They listen to the whispers of corrupt officials, and accept the statements of landlord magistrates. I believe the angels themselves would become tainted with the corruption which exists in Dublin Castle if the angels did not keep clear of the Castle. The Castle officials are bred in an atmosphere of corruption. I do not hesitate to say that some of the vilest blackguards that ever lived have found a resting place under the shadow of Dublin Castle. I doubt whether there is in the whole world an institution of as significant a character as what is known as "the Informer's Home" in Dublin. It is an established institution, kept up for the purpose of swearing away, if necessary, the lives of innocent men. Promotion is offered for such things. We have heard in recent years of the famous motto invented by the late Captain Plunket—"Don't hesitate to shoot." This has lately been supplemented by another motto—"Don't hesitate to swear." During the last six months, I forget exactly—but I shall be able to inform the House if I am challenged on the point—how many policemen have been convicted in the Coercion Courts of the country of deliberate perjury. These creatures are no doubt all, or nearly all, Irishmen, but I think the disgrace rests not so much on Ireland as on England. It is one of the results of misgovernment, and the same tendency has been apparent in every country governed, as Ireland has been, against the will of the people. It may be said these creatures are loyal. I answer in the words of Grattan: "Loyalty without liberty is not loyalty, but corruption." These men are the creatures of corruption, and they are base enough to do any act which they think may prolong their own power or satisfy the dreams and expectations of their paymasters. I think it is high time to denounce their misdeeds, and it is as much in the interest of common morality as of justice to my unfortunate country that I now move the Motion which stands in my name.

(8.40.) Motion made, and Question proposed,

"That the Returns presented to this House regarding Agrarian Crime and Boycotting in Ireland are misleading, unreliable as basis of comparison, and in some instances false and fraudulent; and that this House is of opinion that, if those Returns should be further continued, the compilation of them by the police ought to be checked by one or more independent authorities, and that they ought to be accompanied by such details as would enable the people of the localities concerned to test their reliability."—(*Mr. Clancy.*)

(9.10.) Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,—

The House was adjourned at a quarter after Nine o'clock till To-morrow.

HOUSE OF LORDS,

Wednesday, 26th March, 1890.

REPRESENTATIVE PEERS FOR IRELAND.

Earl ERNE: Report made from the Lord Chancellor, that the right of John Henry Earl Erne to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

CONSOLIDATED FUND (No. 1) BILL.

Brought from the Commons; read 1ª; and to be read 2ª to-morrow.—(*The Marquess of Salisbury.*)

House adjourned during pleasure.

House resumed.

The Lord FOXFORD (Earl Limerick) chosen Speaker.

ARMY (ANNUAL) BILL.

Brought from the Commons; read 1ª; to be printed: and to be read 2ª To-morrow.—(*The Earl Brownlow.*) (No. 48.)

BUSINESS OF THE HOUSE.

Standing Orders Nos. XXI., XXXIX., and XLV. to be considered To-morrow in order to their being dispensed with for that day's sitting.—(*The Marquess of Salisbury.*)

House adjourned at Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 26th March, 1890.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to amend the Law respecting the exercise of Admiralty jurisdiction in Her Majesty's Dominions and elsewhere out of the United Kingdom." [Colonial Courts of Admiralty Bill [*Lords.*]

That they do not insist on their Amendments to County Councils Association Expenses Bill, to which this House has disagreed; and agree to the Amendments made by this House to the Amendments made by the Lords, and to the Consequential Amendments made by this House to the said Bill.

NEW WRITS.

For Carnarvon, *v.* Edmund Swetenham, esquire, deceased; for Windsor, *v.* Robert Richardson-Gardner, esquire, Chiltern Hundreds.

QUESTION.

THE LAND PURCHASE (IRELAND) BILL.

MR. SEXTON (Belfast, W.): My hon. Friend the Member for North Monaghan (Mr. P. O'Brien) has placed upon the Paper a question to the Chief Secretary to ask—

"Whether, in view of the fact that the Olphert Estate forms a portion of one of the congested districts to be dealt with by the Land Purchase (Ireland) Bill introduced on the 24th instant, he proposes to give the forces of the Crown for the carrying out of the evictions there."

As the right hon. Gentleman is not in his place, I will raise the question on the Adjournment of the House to-day.

POST OFFICE MAIL CONTRACT (AUSTRALIAN MAILS).

Copy ordered—

"Of the Contracts with the Peninsular and Oriental Steam Navigation Company, dated the 19th day of January, 1888, and the Orient Steam Navigation Company, dated the 23rd day of January, 1888, for the conveyance of the Australian Mails, together with a copy of the Treasury Minute relating thereto."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 112.]

CONSOLIDATED FUND (No. 1) BILL.

(12.30.) Bill read the third time, and passed.

ORDERS OF THE DAY.

PARLIAMENTARY ELECTIONS (SCOTLAND) BILL.—(No. 9.)

SECOND READING.

Order for Second Reading read.

(12.34.) DR. CLARK (Caithness): The objects of the Bill which I now ask the House to read a second time are twofold. The first is to secure a Schedule of the Returning Officers' charges, similar to that which is provided by law for England and Ireland. Unfortunately there is no Schedule at all for Scotland. Owing to the usual indifference of the House when Scotch measures are concerned the Bills which have been introduced upon this subject have not been passed, and the result is that the law of Scotland differs entirely from that which exists for England and Ireland. My own experience has been a somewhat singular one, and it shows, I think, the necessity for some such measure. Since the passing of the Corrupt Practices Act it has become rather difficult for a man to pass through an election without being placed in the position of being turned out of the House for some act which he did not himself commit. In 1885 I myself might have been turned out in consequence of the corrupt acts of the Returning Officer. He presented me with a bill which, if I had paid it, might have led to my being expelled from this House. Of course I refused to recognise the unfair, unjust, and corrupt charges contained in the Bill. I had given £200 to the Sheriff, and he wanted me to accept back a sum of £50, which he did not require. If I had accepted it I should have condoned the illegal act of the Returning Officer, so, during the existence of that Parliament, I allowed the money to remain in his hands. When a dissolution came I took the money. The right hon. Member for Clackmannan (Mr. J. B. Balfour) brought in a Bill in 1886 to remedy the grievance, and in the present measure I have adopted every clause contained in that Bill except Clause 5. In the Schedule which I submit I have adopted the whole of the right hon. Gentleman's figures, which are very similar to those of the English Schedules. Unfortunately that Parliament was only a short one, and the Bill of the right hon. Gentleman was one of the last Bills brought in. It went before the other House, but there was not time to consider it; but as they thought we wanted something for Scotland they gave us the right of appeal. As the law now stands the Statutes governing this matter are, first the Reform Act of 1832, which states that fair and reasonable charges shall be defrayed by the candidate; and also one of the clauses of the Ballot Act. We have now the right of appeal, and at the election of 1886 the Bill presented to me by the Sheriff did not contain so many illegal charges as the previous one, but still there were some, and, taking advantage of the Act of 1886, I went to the Court of Session, before which Court all the illegal charges made by the Sheriff were taxed away, and the taxing master of the Court—a gentleman well known to the Lord Advocate, a good old Conservative, who was not likely to do anything in an unreasonable way—reduced the account from £241 to £157, or by nearly 40 per cent. But, unfortunately, although the Bill was reduced I had to pay all the costs of the action. In this case it so happens that the Sheriff is paid fairly well for the work he does, but under the special Act he charged £10 10s. for himself for attending on two occasions to do the work. I look upon it as most unfair that a candidate who has suffered from the work being badly and illegally done should also be made to suffer in being required to pay the costs. I remember that in the case of one of the polling clerks he travelled for a distance of eight miles, and his "fair and reasonable" charge for going down was only 15 guineas! Other people would have considered three guineas quite enough. I trust that the present Government will do what the last Government intended to do, and will give Scotland protection, by laying down what is already considered reasonable and fair in England and Ireland. So much for the principal portion of the Bill. The 5th clause is quite a different clause altogether. It provides that instead of placing the expenditure upon the candidates it shall be placed upon the rates, both in burghs and in munici-

palities. In drafting the Bill I did not see how it was necessary or desirable to continue the present tax upon candidates. In the contests which take place in connection with the School Boards, Parochial Boards, Town Councils, and County Councils, all the costs are paid out of the rates, but in Parliamentary elections the candidate himself is compelled to pay them. If we were logical we should adopt the same principle in all cases; and so far as the cost is concerned, that of a County Council election is twice as much as that for a Parliamentary election. If the cost of electing a Member of Parliament were thrown upon the rates it would be a mere bagatelle, and would amount to very little more per head than the price of an ounce of tobacco. In the second place, it is the cost which prevents many working men candidates from finding their way into the House of Commons. The old feeling with regard to the working classes is now entirely changed. We have even the Conservative working man, and he is not regarded as at all a bad fellow. It is quite time that all these old bogies should be got rid of. The Labour Member has been found to be a very useful Member, and hon. Gentlemen on the other side of the House are just as pleased to see him as we are. The cost of an election has also the effect of deterring persons of the lower middle class from becoming candidates. In Scotland there is, unfortunately, no farmer returned. My hon. Friend the Member for Forfarshire (Mr. Barclay) is the nearest approach to one, and, so far as I am personally concerned, I feel that I ought not to represent Caithness, but that it ought to be represented by a farmer or a crofter. If this Bill passes, instead of the farmers and crofters having to return men to fight their battles, you will have the men themselves. So far as the Scotch Members are concerned, we are all at one in regard to this Bill, and I want to know from the other side of the House why a moderate measure of this kind should not be passed, and why a tax should be continued which has the effect of preventing a very useful body of persons from finding their way into this House?

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Clark.*)

*(12.42.) DR. FARQUHARSON (Aberdeenshire, W.): I am afraid that the ancient superstition which caused this House to be regarded as a close and very convenient club has now been dispelled. I gratefully acknowledge what has been effected by the Corrupt Practices Act which the right hon. Member for Bury (Sir H. James) steered through this House with such great ability. Candidates have been saved an enormous expenditure under that Act, but like other great measures, such as the Reform Act of 1832, it cannot be regarded as final. Experience shows that it did not go far enough. At present, I may spend £1,500 or £1,700 in contesting a constituency, and there are other hon. Members who may be compelled to spend a great deal more than that. I think the only remedy is to pass this Bill, and to place the necessary expenses of the Returning Officer upon the rates, or upon the Consolidated Fund. I do not care which, so long as the candidates are relieved of the burden of the expenditure. We give our time to the country, a great deal of labour, and often sacrifice our health, and why, practically, we should have our pockets picked as well, for election expenses, passes my comprehension. In the School Board and County Council elections the expenses are borne by the localities. I may be asked whether the constituencies themselves are in favour of the proposed change. Judging from my own locality, I believe they are. The charge upon the rates would be extremely small, and unless some Act of this kind is passed, we shall continue to be deprived of the services of labour candidates, and persons of local knowledge, which farmers and others possess. I have often been asked the question "Why don't you have more local men coming forward in Scotland?" The reason is that few men can afford the expense of coming forward, and the result is that a great many constituencies are handed over to the noble army of "carpet baggers," who go down and sweep everything before them. I have, on more than one occasion, brought the question before public meetings, and I always found a strong feeling in favour of putting the expenses of Parliamentary elections upon the rates or upon the Consolidated Fund. It is said that if this Bill passes there will be a contest

every time. Well, I do not see that that would be a disadvantage. On the contrary, it is generally of immense advantage to oneself, and to the constituency as well. It educates oneself very much; and it educates the constituency still more. It also encourages a friendly feeling among your own supporters, and is of great service, seeing that it is not bound to come more than once in seven years. If the expense of a contest were got rid of I would encourage a contested election every time. At present, the practice is to carry on a hopelsss contest against you in order to squeeze you pecuniarily as much as possible, and exhaust your resources so as to prevent yon from becoming a candidate again. Personally, I am engaged in fighting in succession all the Tory lairds of Aberdeenshire, but if the expense were put upon the rates, it would be indifferent to me whether I was opposed or not. But I think it exceedingly probable that the opposition would fade away altogether. There are many of us who think that the present duration of Parliament is too long; that it is out of touch with the country, and that the country desires a change. But if we are to have a new Parliament every two or three years, I do not think it would be right to subject candidates to a constant expenditure of this character. It is for this reason that I have always been opposed to the shortening of the duration of Parliament, because I believe it would work badly in exposing candidates to a perpetual drainage, in the shape of expenditure. I regard the present proposal as a very reasonable one, and I have no doubt that it will receive considerable support from English and Irish Members. We in Scotland are desirous of going forward as the pioneers of reforms, and we are suggesting reforms that will be of immense advantage both to England and Ireland. I trust that the Government will accept the Bill. If they do not it is not impossible that we may secure a victory, unless the Government have a considerable number of Members waiting in ambush outside. I warn them, that when they leave office and we on this side of the House come into power, this is one of the very first reforms we shall require. I hope the day is not far distant when that may be the case. I beg to second the Motion.

Dr. Farquharson

(12.50.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The hon. Member for Caithness (Dr. Clark), in moving the Second Reading of the Bill, very justly observed that it has two separate and distinct objects. On the part of the Government I wish to express our complete sympathy with that branch of the measure which the hon. Member first developed, namely, that a Schedule should be provided of the Returning Officers' charges. That would really supply a deficiency which exists in regard to Parliamentary elections in Scotland, and which the right hon. Gentleman opposite (Mr. J. B. Balfour) nearly rectified in 1886. The House will recollect that the proposal of the right hon. Gentleman was introduced on the eve of a General Election, and that there was practical unanimity in regard to making provision for a Schedule of charges, Indeed, the subject is one on which I do not think there can be much difference of opinion, although I am not prepared to say that it may not be necessary to modify some of the details of the measure now before us. Unfortunately, as I think, the hon. Member has mixed up the subject with a proposition of a much more controversial character. We should readily accept the Second Reading of the Bill of the hon. Member if it were not that he has coupled with the harmless proposal for providing a scale of charges—a proposal which, I believe, would secure general assent — another proposal to throw the expenses upon the rates. Now, I venture to think that the hon. Gentleman is rather throwing away his opportunity of effecting a change in the law on a subject in which he takes deep interest, namely, the establishment of a Schedule of charges, by including a larger question with it. If the Bill were confined to the provisions contained in Clauses 5 and 6 I think the hon Member would have the easy assent of the House, but it is most undesirable to connect with the Bill a subject which is notoriously a matter of very great and keen debate. The question whether the expenses shall be borne by the rates is not one which is peculiar to Scotland at all, but is a question which, I venture to think, will be best considered by the House when it is presented fairly and squarely in a general Bill affecting the whole country.

The hon. Member for Caithness tells us that the ratepayers are already familiarised with the matter in connection with the mode in which the expenses of School Board and County Council elections have been dealt with.

DR. CLARK: I meant that all the machinery that is necessary is now in the possession of the County Councils, such as ballot boxes, &c., and that the cost would only be one-third of what it would have been before the County Councils were created.

MR. J. P. B. ROBERTSON: We have certainly got the ballot boxes, but I am hardly persuaded that the County Councils have all the necessary materials for dealing with Parliamentary elections, so as to prevent the necessity for the cost which now arises. The hon. Member on the one hand makes a proposal which is to effect economy in the conduct of Parliamentary elections, and on the other hand he proposes to saddle upon the ratepayers the burden of an expenditure which, unfortunately, it has been necessary to inflict upon them in connection with the establishment of County Councils. The hon. Member for West Aberdeenshire (Dr. Farquharson) has given his reasons why these changes should be brought about. So far as his charge against the Scotch Members is concerned, that they are most of them "carpet baggers," it is a dispute which I must leave him to settle with his own friends. Personally, I am not aware that, owing to the expenses to which candidates have been subjected, Parliament has been deprived of the services of representatives who are natives of Scotland, and I am not prepared to say how far the Scottish constituencies would agree to the proposal that native candidates are to be forced upon them on the condition that there must be an increase in the burden of the local rates. I do not propose to discuss the details of the Bill, and I hope I have not entered into the merits of the question in any controversial spirit. I freely admit that it is one for consideration, and my only reason for rising was to point out this in favour of the change which the hon. Gentleman first advocated, that he is unnecessarily encumbering the reform he desires to bring about by tacking on to it a highly controversial subject. I venture to think that these clauses should be eliminated from the Bill with a view to the speedy passage of those parts of the measure as to which there is general agreement. Failing that elimination, I am constrained to say it is impossible for the Government to assent to the Bill, because the most salient and controversial part of it is the 5th clause, and we could hardly read the measure a second time and afterwards propose to exclude that clause without the assent of those who have charge of the Bill. I think that the subject, large as it is, is not well raised on this occasion, and when we come to enter into the merits of the question I, for one, must offer my opposition to a proposal that would impose an unnecessary burden on the rates of the counties in Scotland.

(1.1.) SIR G. TREVELYAN (Bridgeton, Glasgow): I am glad to find that on the important question of the schedule the Government take a decidedly favourable view of this measure, and I take it that that admission on the part of the right hon. Gentleman is at least something gained. But when, having said so much, the right hon. and learned Gentleman asks my hon. Friend to withdraw the Bill, I think he goes a little too far. It is not so easy for a private Member to secure first place on the Order Paper, on a Wednesday for an important Bill, that such an opportunity should be thrown away. My hon. Friend, though a new Parliamentary hand, is too knowing a one not to see that if the Government want, in the interest of the Conservative Party, to enact that there should be a Schedule of expenses, they can find time for that with the greatest ease, because no Scotch Member would raise his voice against it.

MR. J. P. B. ROBERTSON: I did not suggest that the hon. gentleman should withdraw the Bill. What I suggested was that an undertaking should be given to the House that the Controversial Clauses, 5 and 6, should be eliminated from the Bill, and that tha t would relieve the Government from the necessity of opposing the Bill.

SIR G. TREVELYAN: The right hon. Gentleman stated the case quite clearly at first, and has re-stated it very clearly now; but we say that the clauses referred to are of the greatest importance, and we are extremely anxious to get the judgment of the House—and especially of the Scotch

Members—upon them. This is one of those cases in which the arguments for the Bill are very simple and elementary, while all that can be said against it amounts to nothing more than arguments of an ingenious, but, as I consider them, of a very trivial character. I feel bound to say that if we can show that our arguments are plain, and simple, and clear, we need care very little what the arguments on the other side are. The main argument for the Bill is that under the present system the people cannot elect the man of their choice because a very severe fine is inflicted on him. How severe that fine is I am prepared to show; but I shall not dwell very long on this part of the subject, on account of the evident agreement on both sides of the House that the expense of Scotch elections are uncertain, and in many cases too large. Even under the most reformed system it would be quite impossible to have the expenses of a contested borough much under £200—that is to say, £100 for each candidate; or, of a contested county much under £300, or £150 for each candidate. I, therefore, ask the House to consider this as a very serious matter. It is when you come to the Crofter counties that you come to those in which most enormous expenses are inflicted. In the case of Inverness, in the year 1885, the legal expenses amounted to £1,191, while in Ross and Cromartie they amounted to £1,145, and, although reduced in the elections of 1886, the expenses in these counties were still very heavy. Well, Sir, I say that to tell the Crofters of Scotland that they are not to have as representatives the men who sympathise with them and their interests and grievances, unless they pay three times as much as is paid by those who contest the richer counties of Lothian and Fifeshire, is, I think, nothing short of a sin and a shame. You must remember it is only when those expenses are handed over to the County Council that you have a real guarantee that they shall be kept as low as possible. The County Council will minutely and ruthlessly examine into the expenditure, but at the present moment everyone who knows Scotland knows how much in the more remote parts of the country the candidate is at the mercy of the Returning Officer—absolutely at the mercy of the Returning Officer, and that, unless he has the unusual pluck of my hon. Friend below the Gangway, he must be the very last man to venture to tax the Returning Officer's bill. That is one of the main arguments for this Bill, namely, that the people may be able to elect the man of their choice. But still there is another and a deeper argument which many of us regard as one of much importance. We say that you ought to have a high ideal to place before the constituents at an election, and that so long as the candidate is called upon to pay all the expenses of his own election you must have a low ideal, because you make it appear that you are conferring a favour upon him by electing him, whereas, instead of that being the case, a good Member in reality confers a favour by serving the constituency he represents. By passing this Bill we shall show that the position of the Member is one of public duty, and not of private pleasure. I was sorry to hear the Lord Advocate raise the bugbear of expenditure, because I would ask the House what, after all, does the expenditure amount to if put upon the rates? For the whole of Scotland in the year 1886 it was £17,000. That, no doubt, is a large sum when it has to be paid by a limited number of private persons, but if you take the rental of Scotland I think you will find that it is less than one farthing in the £1 in the whole area. I put it to hon. Members, what should we think of the electors of Scotland if they so lightly value their electoral privileges that they will not pay the price of a pipe of tobacco, or very little more than that of a pinch of good snuff, in order to get the man they want. It is said that this is only a part of the election expenses. That is an argument which was used with great effect in former days, but since the Corrupt Practices Act was passed those legal expenses have become so large a part of the expenditure at elections as to be a very important consideration. I ask the House to note that these expenses bear a much larger ratio to what I may call, without offence, the people's candidate, on whichever side of the House they may happen to sit than they do in the case of ordinary Members. I can here quote a very curious instance. In the Wansbeck Division of Northumberland we have a working man's candidate,

whose expenses amounted to £465 in all. But of that sum as much as £259 were legal expenses. If you look at the expenditure of other working men's candidates, you will find that the same thing holds good. In a certain division a working man stood against a colonel of considerable position; the working man spent £383, and the colonel £896; the legal expenses were in each case £200. How very much larger in that case was the proportion of legal expenses to the other expenditure of the working men's candidate. Again, in the Eastern Division of Finsbury, the working men's candidate spent £254, of which £100 were legal expenses. It is evident that this Bill, if passed, would be essentially a measure for the relief of those persons who, as candidates for seats in Parliamens, want relief the most. You must recollect the great advantage attaching to private wealth. This is almost the only country in which the candidates have to pay the whole of the expenditure, or in which the Member has to give the whole of his time without any remuneration. When we ask the House to relieve candidates of the many burdens imposed upon them, it may not amount to much, but it is at any rate a tangible relief, and I believe it to be in every sense an act of justice. I now come to the last argument against the Bill, and that is one which seems to frighten hon. Members opposite. They say that men of straw will be set up in large numbers, and that we shall always have contests. I believe there is nothing in that argument, and for this reason: hon. Members who have watched the course of recent elections know perfectly well that if we have to fight successfully a contest in a great community, say of 70,000 or 80,000 persons, and desire to obtain a majority of some 1,000 or 1,200 electors, the only chance is to choose the best man on our side we can possibly select. If a man is deficient in character, reputation, or genuine and solid standing, no matter what his rank may be, he is a bad candidate, whom neither of the two great Parties in the borough will accept, and he has no chance. I say, further, that if a man, be he Liberal or Conservative, represents a great Party and a great cause, he need not be afraid of anybody coming forward from motives of mere selfish notoriety, or personal vanity. This is how we shall eliminate men of straw, and not by laying a fine upon both good candidates and men of straw alike. As to this being a question for the whole country, all I can say is, that Scotland knows her own mind on the matter; she has freedom of discussion, and we want her to have free elections. You must remember that Scotchmen say, I do not know with what amount of truth, that what Scotland thinks to-day England will think to-morrow. Twenty years ago, when England was in better mind, this proposal of my right hon Friend was put into a Bill introduced into this House by the then Conservative Government, and upon two Divisions a majority kept that clause in the Bill. Every argument which Professor Fawcett, then sitting below the Gangway, brought forward at that time for the conviction of the House, that that Bill was called for by reasons of Justice and National expediency, exists at the present moment, and if Scotland thinks that this Bill ought to pass, England ought not to stand in her way in a matter which concerns Scotland alone, except so far as her example may influence England.

(1.13.) SIR G. CAMPBELL (Kirkcaldy): This is a delicate matter, in which it may be said that the interests of the candidates are different from those of their constitutents. There are many who say that a rich candidate would rather have expensive elections, in order that the poor man may be kept out, but we poor Scotch Members do not like to pay more than we can possibly help, and to this extent our interests are opposed to those of our constituents in the mere matter of pounds, shillings, and pence, although, as regards other matters, their interests are identical with ours. This is a question in which we are bound to think once, twice, or thrice before accepting this Bill. But I have given it those repeated thoughts, and am willing to take whatever responsibility I may incur in voting for it. We know there is a question often brought before the constituencies, and I regard it as a popular question, that Members should be paid. I am not now going into that question, but I certainly think that Members should not pay their election expenses. A place in this House ought not to be a privilege for which a man has to pay. I would not make an election absolutely without cost to a

Member, but I would insist, with my right hon. Friend, that the strictly legal expenses should not be imposed upon the candidate, but thrown on the constituency. I also agree, that when you put these charges on a constituency they will amount to a very small burden. As the right hon. Gentleman the Member for Bridgeton has said, so long as a Member is required to pay all the expenses he has no way of diminishing them unless he exhibits that amount of courage which has been alluded to that would enable him to tax the Returning Officer's charges. Doubtless the Returning Officers impose very heavy costs on the candidates, but if you throw those charges on the constituency there will be a self-acting means of economy that will save a great deal of the present cost. At present you have this in the case of elections for Burgh Councillors, and County Councillors and School Boards, but there it rests. All these constituencies are equipped with the proper machinery for the purpose, and it is only necessary that the machinery should be utilised in the Parliamentary elections, in order to secure a considerable saving. Nothing can be more absurd than that a constituency should charge the candidates for the hire of ballot boxes and things of that kind. If you pass this Bill you will get rid of all these charges, without throwing any additional cost on the ratepayers. As to the expenses of Returning Officers and Sheriffs, I am convinced that they might be very materially cut down in the interests of economy and of the constituencies, while the charge thrown on the constituencies will be but small. The poor candidates will be greatly relieved by its passage, and I trust the House will see its way to allowing the measure to be read a second time.

(1.17.) MR. LENG (Dundee): I am, perhaps, unable to speak quite so feelingly on this subject as the hon. Member for Aberdeenshire, but I may say that, perhaps, no Member has entered this House lately whose election expenses have been less than my own, so that it is not on the ground of personal interest that I desire to say a few words in favour of this Bill. I observe that the right hon. and learned Lord Advocate altogether evaded the question of whether the proposal to throw these election expenses on the rates was a prudent and wise proposal. He insisted that it was a large question, affecting the whole country, and therefore ought not to be dealt with in a partial manner, but I put it to the House, if the proposal is sound in itself why should it not be debated now? It is one that has been before the House on several previous occasions, and I ask when will the House have more leisure to discuss it than it has on this quiet Wednesday afternoon? The right hon. and learned Gentleman the Lord Advocate has not met the point that was put by the hon. Member for Caithness (Dr. Clark), that already these expenses are thrown on the rates for all other elections, except Parliamentary elections. Many of those elections occur annually, and many triennially, but Parliamentary elections are supposed to be septennial, although, no doubt, they do occur more frequently than once in seven years; but, as has been shown, the cost to the constituencies under this Bill will be exceedingly small, and will scarcely be felt by the ratepayers. Why, then, is the Bill opposed, as it has been by the Government? Will the right hon. and learned Gentleman be content to leave this question in the hands of the Scottish Members? If he were to so leave it, he knows well how it would be decided. The large majority of the Scottish representatives have already made up their minds on the subject, in conformity with the views of their constituents. Whenever I have endeavoured to ascertain the opinion of the voters on this question I have never heard them grudge the throwing of those expenses on the rates. It seems to me that whenever questions of this kind arise, the true feeling on those Benches is always the same. If I rightly interpret the minds of hon. Members opposite, it is felt that these election expenses act as a protection to men of wealth, and in prohibition of the candidature of working men, and individuals of that class. I would just put the matter in this way to the House. We have been defeated already in many of these Scottish questions, but we ought not to be exposed to the action of the English majority, whose resistance to the popular demands of the Scottish people is doing more than anything to promote the claim for Home Rule in Scotland. The Lord Advocate has admitted that one important part of

this Bill is deserving of the approval of the House; but we in Scotland think that the clauses to which he objects are equally good, if not better than those he is ready to accept. I appeal to the right hon. and learned Gentleman not to run the risk of rejecting this measure, because we shall continue to press it forward, and we are determined that Scotch legislation shall be in conformity with Scottish opinion, and that we will not be constantly out-voted by English Members. They have out-voted the Scotch Members time after time, and I now call on the English representatives not to allow the Government to put a drag on the superior intelligence of Scotland. I had no intention to speak on this question, but my spirit has been stirred within me, and I intend systematically to insist that on all Scotch questions Scotch opinion shall prevail.

(1.26.) Mr. J. HENNIKER HEATON (Canterbury): Many years of my life have been spent in Australia, where all the expenses of the elections are paid out of the general revenue of the country. I am, therefore, in a position to say that that plan works well and gives general satisfaction, and I am quite prepared, when a sufficiently comprehensive Bill is brought in, to support a proposal for paying the whole of the expenses at elections out of the revenues of the country. But I do not feel justified in supporting this sort of piece-meal legislation, and I think it would be an injustice to other parts of the Kingdom. As to the argument that men of straw would come forward if this Bill were passed, I may be allowed to suggest a plan that would prevent anything of the kind. In Australia no one is permitted to come forward as a candidate who does not deposit with the Returning Officer a substantial sum of money, and in case he fails to secure one-fifth of the votes that deposit is forfeited on the ground of frivolous opposition. For the reasons I have just stated I regret that I am obliged to oppose the Bill.

(1.28.) Mr. A. ELLIOT (Roxburgh): In the interesting maiden speech of the hon. Gentleman the Member for Dundee I think he rather lost sight of an important consideration, namely, that on what is only a Local Bill we are asked to fight a point of Imperial importance. That being the case, you are really inviting Members representing parts of the Kingdom outside Scotland to apply their minds to a measure which, while it applies to Scotland alone, involves a principle applicable to England and Ireland also. For my part, I feel that the question is of as much importance to the other portions of the Kingdom as to Scotland, and that if such a Bill is carried for Scotland it ought to be carried for England and Ireland. Therefore it would not be right to exclude Englishmen from voting on this question. I was struck by a remark made by the hon. Member for West Aberdeenshire. My feeling about this Bill is that it should have been an Imperial Bill applicable to the three Kingdoms. I think the argument is wholly in favour of the payment of the necessary expenses out of the rates. No argument has been proposed on the other side against it, although I suppose if the debate continues some will be adduced. I look at the question rather from the point of view of the constituents, and surely we are benefitting them if we widen their choice of candidates. At present they are too much restricted to candidates who are favoured in high quarters, whereas I think the candidates should be chosen by the constituents themselves. I think the direction and control in these matters ought to be local, because the representation is really based on local feeling and sentiment. I have always felt that this proposal rests on a different basis altogether from the proposal to pay Members Parliamentary salaries. I should be sorry to see a step taken in that direction, but I do not think it is involved in the present proposal. It is an honour to represent and serve a constituency, and I do not think it should be made a subject of pecuniary interest to obtain seats in Parliament. Such a course would tend to class legislation, and might hold out an inducement to those who have not succeeded in their profession or trade to seek a seat in Parliament, thus depriving the country of the services of those men who can best maintain its interests. I shall certainly vote for the Second Reading of the Bill, and I am sorry that it does not apply to the whole of the Three Kingdoms.

(1.35.) MR. M. STEWART (Kircudbright): Sir, as to the effect which this Bill would have, if carried, on the working classes, I think that the amount involved is really so small that there exists no serious grievance. Taking the whole of Scotland over, and excluding certain counties to which reference has been made, the entire sum in the case of an election would be £150, and I do not think that would so act as to prevent the working classes bringing forward candidates. Of course, if a working man does come forward, his expenses must be paid; but whether it is £500 or £150, it really is a matter of great indifference, if you are determined to have such a representative in Parliament. I look upon it as unwise to bring this Bill forward at this time. We have not taken the opinion of our constituents upon this question. The hon. Member for Dundee said the opinion of the majority of Scotch Members is in conformity with Scotch opinion. But this is a matter which has not been brought before the people of Scotland, and it means, if the Bill be carried, the payment of Members. Because the majority of Scotch Members happen suddenly to make up their minds in this subject, it is no proof that the whole nation demands the change which they are advocating. We have very distinct proof that the people of Scotland are fairly satisfied with the present mode of returning Members of Parliament, and that Members should pay their own way. It is one of the glories and boasts of this country that you get more hard work out of your Members, more of their time, than does any other Legislature in the whole world. If you pay the election expenses out of the rates you will very soon find that you will have to pay the expenses of the Members, and you will no longer have able men who devote more than their spare time to the service of their country. I do not see how you can deal with Scotland piecemeal in this matter. There are questions peculiar to Scotland which can well be dealt with separately, but here is a measure which applies equally to England, Wales, and Ireland. I venture to say it is a Bill which ought not longer to occupy the time of the House. Then there is the further argument that if you have triennial elections you would multiply the expenses cast upon the ratepayers—expenses of which they know nothing now. And as to the question of working-men Representatives, I maintain that the ordinary Member has opportunities of meeting the working men in various centres of his constituency, and of ascertaining and representing their wishes just as well as others of their own class. I do hope this Bill will not be read a second time.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Mark Stewart.*)

Question proposed "That the word 'now' stand part of the Question."

*(1.45.) MR. J. H. C. HOZIER (Lanarkshire, S.): Sir, I think this Bill might be fairly described as a Members Relief Bill. It seems to be chiefly directed to looking after number one. The hon. Member for Caithness, in moving the Bill, was ingenious in holding out as a pleasing prospect that if this Bill were passed he would himself be replaced by a Crofter Member to the combined advantage of the House and of the constituency. I shall express no opinion on that point. On the other hand, the hon. Member for Aberdeenshire was ingenuous, for he seems to be only too delighted that under it he would be able to enjoy the luxury of a successful contested election, without any expense whatever to himself. He says a contested election encourages friendly feeling, and I am glad that is his experience. I am afraid, however, that he does not seem to appreciate encouraging that friendly feeling at his own expense. The right hon. Gentleman the Member for Bridgeton talked about eliminating men of straw. I do not quite see how you are to do so under this Bill—quite the reverse. The right hon. Gentleman said we have now free education in Scotland, therefore we ought to have free elections. I would venture to point out that free education does not put an additional burden on the rates.

SIR G. TREVELYAN: Yes, it does.

*MR. HOZIER: I beg the right hon. Gentleman's pardon; it does not.

SIR G. TREVELYAN: Free education in Scotland is paid for by a sum of

money which in England is devoted to the relief of the rates.

*MR. HOZIER: The sum might be devoted to the relief of the rates, but its alienation throws no new burden upon the ratepayers.

SIR G. TREVELYAN: It is the same thing.

*MR. HOZIER: I beg the right hon. Gentleman's pardon. It is by no means the same thing. This cost of elections would be an additional burden upon the ratepayers. The Chancellor of the Exchequer was very glad to state that the ratepayers of Scotland made no serious complaints with regard to the rates. That will certainly not be the case if you throw this additional burden upon the ratepayers of having to pay for a number of frivolous contests, even in order, as the hon. Member for Aberdeenshire pleasantly puts it, to encourage friendly feeling throughout the length and breadth of Scotland.

(1.40.) MR. J. B. BALFOUR (Clackmannan, &c.): Sir, I think it is satisfactory that we have at last heard the only arguments which can apparently be advanced against the proposal in the 5th clause, and I must say that they appear of a singular character. The argument of the hon. Member for Kirkcudbright was that the amount of the official expenses to be put upon the rates would be so small as to be hardly worth while mentioning. But if that be so, there would not be objection on the part of the ratepayers to the rate levied for election expenses.

MR. M. STEWART: I said it would not be worth mentioning, inasmuch as it would not give much assistance to working men coming to this House.

MR. J. B. BALFOUR: That is exactly the point I was coming to. When a working man becomes a candidate, the funds are generally contributed by men who are not well off, and who have to make sacrifices of their hard earnings to meet the expenses of their candidate. I think the House ought to be ready to remove any artificial barriers to the return of such candidates to this House. It is said that this is an unfortunate time to bring forward the Bill; but if we are to believe the whispers in the air, it is not very long that private Members will have any chance at all this Session to bring their questions forward, and if it were not brought forward now, it might be, I suppose, deferred until some future Session, or some future Parliament. The next argument is, that this is a step towards the payment of Members. I am not going into that question, which is entirely separate from the payment of election expenses. It seems to me that so far from the two questions being bound together, they are entirely dissociated. I know there are persons who are not favourable to the theory of paid Members, but who have advanced this as a proper remedy in the first instance, before the question of the payment of Members is considered. It has been said with great force that the payment of the official expenses at elections out of the rates will enable the class which is desirous of being represented to have a larger number of Members in the House than at present. But that is a question entirely dissociated from the subject of payment of Members. The next argument is that this is piecemeal legislation. If it were possible to carry a measure for the whole country we should be very glad to do so. But is any injustice done to the rest of the country by dealing with Scotland? Surely, England and Ireland are not so jealous as to deny Scotland that which would do them no harm. I have no doubt that if Scotland got this measure it would be a step towards the rest of the country obtaining it at no distant period. I am glad we have the support of my hon. Friend the Member for Roxburghshire, who carried a Bill, which had application solely to Scotland, legalising marriage with a deceased wife's sister. That is a subject of interest to the whole country, for you must admit the universality of the interest which attaches to the domestic relations; yet the House did not hesitate to grant the Second Reading of my hon. Friend's Bill. Then, something was said about the duration of Parliament. If elections are to be more frequent, there will be the more necessity for some relief; and as to the question of vexatious elections, I do not think it is the poor men who are likely to indulge in vexatious contests. Still, it is a casual evil, occurring in a small number of constituences compared with the whole electorate, and it ought not to be used as an argument for preventing the constituencies having a free choice

in the selection of their candidates. The expenses of various other elections are now paid out of the rates—School Board, Municipal, and County Council elections—and no candidate, whatever his official position may be, thinks it dishonouring that the official expenses of his election should be paid out of the public funds. Why should there be an exception in the case of Parliamentary elections? It really appears as if the argument in favour of this proposal was all one way. We have had other reforms working in Scotland—Sunday Closing for instance—long before they were extended to other parts of the country. Is there any reason why effect should not be given to the enormous preponderance of opinion in Scotland, because, I take it, that the majority of Members here represent the preponderance of opinion in Scotland? With respect to that part of the Bill which is not contentious, I think, perhaps, our English, friends owe us a little consideration because they have had a Schedule of expenses from 1875 and we are only getting one now. This question of the Schedule must be considered in Committee. It was considered with very great care in 1886. There has been, at all events, a very careful preparation, which I am glad to see the hon. Member for Caithness has adopted, and I should be very sorry if anything prevented this Bill becoming law now.

(2.15.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(2.17.) MR. KIMBER (Wandsworth): I rise not for the purpose of debating this Bill, but to draw attention to one defect in the position of the Members from Scotland who advocate it. The question the House has been debating is a pecuniary question, to which there are two parties—the candidates and their Members, who now pay the official expenses of the Returning Officer, and their constituents the ratepayers, to whom the Bill would transfer the burden. The question has been discussed from the point of view and in presence of only one of those parties. The constituents are represented here on the question only by their opponents in interest. No evidence has been brought forward showing what the views of the constituencies are upon this point. I hope hon. Members from Scotland will be influenced by that delicacy of sentiment which the hon. Member for Kirkcaldy (Sir G. Campbell) described as existing in his breast, not to support this Bill, because to vote for it will be to vote in favour of their own pockets and against the interest of those whom they represent. I hold that the question of the apportionment of election expenses between Members and their constituents, is a question which ought to be submitted to the constituencies at the time of a General Election. We have nothing before us upon which we can rely as showing that the constituencies are willing to shift the burden of the expenses mentioned in the Bill from the candidates to the ratepayers. My belief is that the opinion of the constituents would be not that the ratepayers should bear the expense, but that the candidates who seek to have honour conferred upon them should defray the cost of the contest out of their own pockets.

*(2.22.) MR. MARJORIBANKS (Berwickshire): If the argument used by the hon. Member who has just sat down were pushed to its logical conclusion, we should be prevented from taking any step forward in legislation at all. He argues that because the Scottish electors are not specially represented on this question, the Scottish Members are precluded from giving a vote respecting it. We hold that the electors, as a body, are very ready to adopt and back up the votes we give in this House.

*MR. KIMBER: I only said there was no evidence of that.

*MR. MARJORIBANKS: The evidence that we represent our constituents is, that we are in this House.

*MR. KIMBER: I beg pardon; what I meant to say was, there was no evidence as to what the opinion of the constituencies was on this particular question.

*MR. MARJORIBANKS: I think the evidence of the opinion of the constituencies is very clear, from the fact that they entirely acquiesced in the provisions of the Local Government Bill of last year, which imposed these official expenses in connection with County Council elections on the ratepayers. Having acquiesced in that, I think they are also ready to agree to the financial proposal contained in the Bill before the House. The main contention urged against the Bill is that

the proposal to make the ratepayers defray the expenses of Returning Officers is too grave a matter to agree to with respect to one part of the United Kingdom only. That argument can at once be disposed of, because my hon. Friend the Member for Caithness (Dr. Clark) and we are very willing to accept Amendment in Committee to make it applicable to the whole country. Another criticism is that if the Bill passed an enormous number of vexatious contests will take place. From that view I altogether dissent, because it will be the interest of every ratepayer in Scotland to prevent such contests. That there might be an undue multiplication of candidates is a more valid objection. Recognising this, we are ready to accept an Amendment providing that a candidate must obtain a certain proportion of votes to entitle him to the payment of his expenses. The hon. Gentleman who has just spoken will probably be shortly opposing a Bill which proposes to give the Irish ratepayers the power of stopping licences by means of a direct veto. But if he thinks the Scottish Members are not capable of giving their votes on this question, as representing the people of Scotland in their absence from this House, and so expresses his distrust of the representative principle, he certainly ought to vote in favour of giving the power of direct veto to the people in Ireland. It seems to me that his conduct in the two instances is of a contradictory character.

*MR. KIMBER: I beg pardon again. I do not admit the analogy. The point I wished to make was that this was a matter of personal pocket interest, in which the interests of the constituents conflicted with those of the Members.

*MR. MARJORIBANKS: I support this Bill for another reason. I think it is a great pity that, as far as Scotland is concerned, we do not have a larger number of direct labour Representatives in the House of Commons. At present there are no such Representatives of Scottish constituencies. If the official expenses were thrown on the rates it would be practicable for a labour candidate to come forward in many a constituency where it is now out of the question. I hope the Scottish Members will support the Bill, and will succeed in inflicting on the Government another of those defeats to which they have lately become so much accustomed.

*(2.28.) MR. KELLY (Camberwell, North): One of the Scotch Members gave us, I think, a very good reason for supporting this Bill. He said the poor Scotch Members did not like paying. That is, no doubt, very true, but the question is whether the poor Scotch ratepayers like paying. The hon. Member for Dundee (Mr. Leng) spoke of the superior intelligence of the Scotch. I am not prepared to deny it, but I do not know what that has to do with the question, inasmuch as the Scotch people have not decided that this Bill ought to become law. The same hon. Member said that by opposing the Bill the House would be precipitating Home Rule for Scotland. That was a peculiar argument for the hon. Member to use, considering that before his election he pledged himself to support Scotch Home Rule. We were told by the hon. Gentleman who has just sat down that Scotland can have no labour candidates, because they cannot have their expenses paid. I think, however, that very recently there was a labour candidate in Lanarkshire; and the Scotch people, by reason of their superior intelligence, declined to be represented by him. Many Members of this House have their expenses paid, and I do not know that they are any the worse as Members on that account. What I contend in opposition to the Bill is this. In the first place, I do not see how the House can consistently stop at the point to which we are asked to advance on this occasion. How can it be said that the payment of the Returning Officer's expenses, which may be estimated at between £100 and £150, bars the entry of representative labour candidates into the House of Commons? If the public are to pay the Returning Officer's expenses why should they not defray the other expenses and also pay the Members? I look upon the Bill in its present form as being simply the thin end of the wedge. There would be a strong argument in favour of the Bill if it could be shown that the House loses by the present system, but that has not been shown. Able representatives, whatever class they may belong to, are not kept out of Parliament by the present system. Personally, I am astonished to hear the argument about Members being at the mercy of

Returning Officers. It is open to any Member to dispute the Returning Officer's charges, and they have been disputed with success in a number of cases. It may be that the Returning Officer's expenses should be limited, and that could be done very well by part of this Bill. If the change which is advocated takes place, many candidates will come forward from motives of vanity or in the pursuit of vulgar notoriety, and, consequently; there will be very a large additional number of contested elections all over the country; whilst from the complication of the issues before the electorate, it will be almost impossible to ascertain the general opinion of the country on the greater issues on which General Elections ought to turn.

*(2.40.) MR. PROVAND (Glasgow, Blackfriars): The last two speakers on the other side of the House have dwelt on what they call the absence of all evidence that the people of Scotland desire this change. A very short reference to the history of the Bill will, I think, satisfy the House that there is plenty of evidence on this point. The measure has been five years before the House. It passed in the early Session of 1886, and was thrown out in another place. In 1887 I had charge of it in this House. I had some correspondence with the Secretary for Scotland respecting it, and pointed out to him that the majority of the Scotch Members were in favour of it. In 1888, 1889, and again in the present year the Bill has been introduced. Now, a Bill that comes before the House for five years in succession in reference to Scotland is quite certain to have been discussed in almost every constituency in the country. If the feeling of the people were against the measure plenty of evidence to that effect would certainly have been produced on the other side. In 1886 it was thrown out by the Lords, mainly on the ground that it was undesirable to make the change at a period so near to the General Election. That was not a satisfactory reason for rejecting the Bill, but it furnishes a very good reason why the question should be dealt with now, because we are continually nearing the next General Election. It has been already pointed out, in reply to objections on the other side, that if the Bill be of a local character it can be converted into an Imperial Bill by inserting an Amendment to make it apply to England and Ireland. No Scottish Member has the smallest objection to that. Indeed, we are satisfied that this Bill is merely the beginning. We know that this is the thin end of the wedge, as the last speaker said it was, and that the official cost of elections in England and Ireland as well as in Scotland, will ultimately be thrown either on the ratepayers or on the Consolidated Fund. The last speaker said the official expenses were from £100 to £150, but it was pointed out by the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) that in some Scottish counties the official expenses were nearly £1,200.

*MR. KELLY: That was stated as having taken place in 1885, and not having been repeated since.

*MR. PROVAND: No doubt in 1886 the expenses were lighter than that, but Members are still liable to enormous official expenses in all the Scottish counties. It is true that a reduction of the Returning Officer's charges might be obtained by means of an application to the Court of Session, but the Member would probably have to pay two sovereigns costs for every sovereign he got taxed off the bill. The total cost of the elections in Scotland in 1886 was £17,000, which, it was said, would amount to something like ¼d. in the £1 on the rates. I do not think it would amount to so much, and I certainly believe that if the Bill passed the £17,000 would be reduced by one-half, as Local Authorities would then be liable, and would see that the charges made were reasonable.

(2.45.) The House divided:—Ayes 123; Noes 136.—(Div. List, No. 36.)

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

INTOXICATING LIQUORS (LOCAL VETO) (IRELAND) BILL—(No. 14.)

SECOND READING.

Order for Second Reading read.

*(2.55.) MR. T. W. RUSSELL (Tyrone, S.): The Bill, the Second Reading of which I now beg to move, has at least one recommendation; it is exceedingly simple in

its provisions. In the first place it does not seek to alter the Licensing Authority in any way whatever. The Licensing Authority may be, as it is now, composed of Justices, or it may be the County Council, or the Local Board. In its preamble the measure affirms that the traffic in intoxicating liquors is one of the main causes of poverty, disease, and crime, that it depresses trade and commerce, increases local taxation, and endangers the safety and welfare of the community. I do not think there are any hon. Members who will care to traverse that proposition. The Bill endeavours to find a remedy for what is undoubtedly a bad state of things. All the Irish Members will agree with me that of late years drunkenness has increased in Ireland. All the authorities—the Bishops of the Roman Catholic Church, the clergy of the Protestant Church, the statistics of the police—all bear me out in saying that latterly drunkenness has greatly increased. What the Bill proposes to do is to give the ratepayers of any locality a threefold choice in regard to the liquor traffic. The ratepayers may either decree that there shall be no public houses and no public sale of intoxicating liquor in their midst, or they may decide how many places for the sale of intoxicating liquor there shall be, or they may decide whether new licences are to be granted or not. Therefore, the principle of the Bill is simply that the opinion of the locality shall decide in the matter of the sale of drink, and I am curious to hear what hon. Members below the Gangway have to urge against it. So far back as 1835, when Archbishop Whateley's Commission sat to inquire into the condition of the Irish poor, this question of the liquor traffic attracted public attention, and in 1836, the Commission reported that the liquor shops all over Ireland were greatly in excess of the needs of the people. Ireland has improved in many respects since that day, but it has improved very little in this respect. Hon. Members below the Gangway will agree with me that the small towns in the South and West of Ireland are literally studded with public houses, that are not needed by the people at all. I will give an illustration. Let us take the town of Ennis, in County Clare. The population is 6,300, and there are 100 public houses. It has been generally admitted that one public house for every 500 of the population is a sufficient proportion. On such a basis, instead of 100, Ennis would have only 13 public houses. New Ross, in County Wexford, with 5,000 population has 106 drink shops; Mill street with 1,450 people has 32 houses; Ennistymon with 1,350 has 25; Miltown Malbay with 1,400 has 36; Castleisland with 800 has 51; Portumna with 1,100 has 36; and Macroom with 3,000 has 53. Now, I do not hesitate to say that the Justices, and the Justices alone, are responsible for this congestion of public houses, and the Justices having crowded these small towns in the South and West of Ireland in this way, it is not unreasonable that they should be deprived of that power. Hence this Bill gives power to the people to instruct the Licensing Authority as to what their wants may be. No doubt the South of Ireland differs somewhat in this respect from the North, and I will now deal with two cases from the North. Lurgan, in County Armagh, has a population of 14,000. It is a busy, thriving, prosperous town, and one would imagine that there would be more liquor shops required than in small southern towns, where the same industry does not prevail. And yet, instead of 100, Lurgan has only 29 public houses, and I do not know of anyone in Lurgan who complains. Indeed, they think they are better off with this small number of public houses. I will now take another case, the town of Bessbrook, which has a population of 3,000. It also is a busy, thriving, prosperous place, and yet it has not a single public house. There total prohibition has been decreed, not by the voice of the people—that would be the proper way—but by the voice of the proprietor of the town. My position is that if the owner has the right to enforce this prohibition on 3,000 people, the occupiers of property should have the right to choose for themselves. What has been the result of the present system? I do not care what hon. Members who oppose the Bill may think of its provisions. They cannot feel satisfied with the present regulation of the liquor traffic. What even did the Bishop of Limerick do the other day? Hon. Members may differ from the Bishop on many points, but on this point, at least, he must have the

sympathy of every man. Here is a city in the South of Ireland that is not prosperous. It has a population of about 30,000, and yet it has no less than 300 public houses; and the Bishop of Limerick went to the Bench of Magistrates to remonstrate with them on the state of affairs. He charged them with the responsibility, and begged them to grant no new licences till the number should be reduced. I say that when a Bishop has to go and remonstrate with the Authorities, it is high time that the people had the power to interfere. But what are the figures as to drunkenness? For six or seven years after the passing of the Sunday Closing Act drunkenness rapidly declined.

MR. JOHN O'CONNOR (Tipperary, S.): Where?

*MR. T. W. RUSSELL: All over Ireland. In 1887 the arrests for drunkenness were 110,903. The Sunday Closing Act came into operation in October, 1878, and there were, therefore, in that year three months of total Sunday Closing throughout Ireland; the figures for 1878 fell to 107,000. In 1879 they fell again to 98,000, and in 1880 to 88,000, and in 1881 to 78,000. In 1882 they rose to 87,000, and in 1883 to 90,000, in 1884 to 92,000, and in 1885 they stood at 87,000, while in 1888 they stood at 87,582.

MR. JOHN O'CONNOR: Will the hon. Gentleman give us the figures in the different parts of the country where the Sunday Closing Bill was in operation and where it was not?

*MR. T. W. RUSSELL: The figures are for the whole of Ireland, and this Bill deals with the whole of Ireland.

MR. JOHN O'CONNOR: What about the exempted districts?

*MR. T. W. RUSSELL: Dublin is one of the exempted cities, and there were in that city, in 1886, 18,115 arrests for drunkenness—drunkenness and disorderly conduct; in 1887, 18,590; in 1888, 20,192; an increase of more than 2,000 in that city alone between 1886 and 1888. These are the facts of the increase of drunkenness in an exempted city, and my proposal is that with the Sunday Closing Act drunkenness has declined. What, then, are the objections to this method of dealing with that question? Many Motions have been placed upon the Notice Paper. There is our old friend "this day six months." That Motion I can understand. But another Motion stands in the name of the Member for South Tipperary, and asks the House not to touch this question in view of the Local Government Bill promised by the Government. But this proposal will not in any way affect the Bill. If the Local Government Bill proposed to create a Licensing Authority this measure would be strictly relevant and in order. My proposal, so far as this Bill is concerned, is that it does not matter who the Licensing Authority is. All the Bill says is, that before that Authority can act, before they can flood towns with public houses they shall receive instructions straight from the hearthstones of the people. So great is the evil that the Bishops of the Roman Catholic Church have become alarmed, and, only last week, they issued a pastoral, calling on the clergy to exert themselves in the matter. The Bishops ought not to be working in one direction and the law in the other. I hold that the function of the law is not to put temptation in people's way. It ought to make it easy for the people to do right, and difficult for them to do wrong. As matters stand, the Licensing Authorities are absolutely working against the Bishops in their work, and I ask that the people shall be given the power to restrain these magistrates from crowding the towns with licensed houses against their will. There is one question that may be raised, and, I admit, with some seriousness. Ever since this liquor traffic has been a public question the matter of compensation has been fought. I have pronounced views on that matter, and when the Local Government Bill was going through the House I opposed the compensation proposals. I am not against fair and reasonable compensation to the owners of licensed premises, but I am not in favour of that compensation coming out of Imperial taxation or local rates. I maintain that the old proposal of Mr. Bruce in this House in 1871, that where prohibition is decreed a time limit ought to be allowed, and that where restriction is enforced under this Bill those licensed proprietors who are left ought to pay those who are removed—is a fair and reasonable proposal. These are the

reasons why I propose this Bill, and I now beg to move the Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."

(3.14.) MR. JOHN O'CONNOR: I rise for the purpose of proposing the Amendment which stands in my name. The hon. Member who has just moved the Second Reading of the Bill, in a very forcible speech, has stated truly that we all agree that many evils are caused to our country and to our people by over-indulgence in intoxicating liquors. But there is one point upon which I cannot agree with him, and it is that he has the monopoly of desire among hon. Members from Ireland to promote temperance. I, too, desire the promotion of temperance in that country. I think we are all agreed as to the need for promoting it, but we disagree with regard to the manner in which that end is to be brought about. The hon. Member has alluded to the pastoral of the Bishops of Ireland, and he would have the House believe that the Bishops are at one with himself and the Party with whom he acts, in their plans for carrying out this desirable object. I defy the hon. Member or anybody else to point out in the whole course of the pastoral one idea or one expression that goes to show that the Bishops approve the methods proposed to be adopted by the hon. Gentleman. The Bishops, in the first place, lay down the proposition that it is necessary that throughout Ireland the cause of temperance should be taken in hand as a work to be carried on with the sanction and under the blessing of the Church. That is our position. We believe that this cause is to be promoted best by the voluntary action of the people under the blessing of the Church to which they belong. But the Bishops do not stop at this point, for they go on to say that they are not disposed to concur with the too drastic methods proposed not only by this Bill but by many Bills which have been introduced in this House from time to time. They think it necessary, in the first instance, to explain that the word temperance has come to be used by many in an unduly restricted sense. It has not infrequently been used as if it meant precisely the same thing as total abstinence, and the Bishops call upon the clergy to carefully explain to the faithful that this is a manifest error. Temperance, they say, is one thing, and total abstinence is another; and it is essential to keep clearly in view the difference between the two. That is the opinion of the Bishops of Ireland, which has been appealed to by the hon. Gentleman the Member for South Tyrone.

*MR. T. W. RUSSELL: I did not appeal to the Bishops further than this: I said that while they were promoting temperance in their way the law should not be working against them.

MR. JOHN O'CONNOR: I maintain that the law is not working against them, and I am endeavouring to show the House that the hon. Member and his friends are beginning at the wrong end. They wish to carry legislation in a wrong direction. Our object is to place it on a more solid foundation. One principle of this Bill, to which I give my entire adhesion, is the curtailment or restriction in granting licences in Ireland, and I may say that a Bill is about to be introduced by my hon. Friend the Member for Longford, and will be backed by myself, which will have in view the attainment of that end. A great deal of the evil which exists in Ireland, and elsewhere, is undoubtedly due to the fact that there are too many licensed places, and I came away from the deliberations of the Commission on Sunday Closing in Ireland, two years ago, fully convinced that in any scheme for promotimg temperance in Ireland, one of the first proposals should be to curtail the unnecessary distribution and granting of licences. I venture to think that the excess in the number of licences encourages illicit trading, and that a restriction of the number would throw the trade in the hands of more respectable people. Now, the hon. Member for South Tyrone quoted a number of figures, and I propose to show to the House that they were to a great extent misleading. I do not, of course, suggest that they were intentionally so, but when the hon. Member for South Tyrone pointed out that there were 100 public-houses in Ennis, he omitted to add that those public-houses were not places merely for supplying intoxicating drinks, and that they were not only intended for the accommodation of the population of Ennis

itself. Any one who knows that place must be aware that enormous numbers of people come into the town marketing, and also that in the country round about there is a great scarcity of public-houses. Then, again, these licensed premises are also used for other businesses. They consist of grocers' shops and of drapery establishments.

*MR. T. W. RUSSELL: That makes it so much the worse.

MR. J. O'CONNOR: It often happens that in a small town in Ireland it is necessary for shopkeepers to carry on businesses of a varied character, otherwise they would find it impossible to get a living. Consequently, you often see one man selling, in addition to excisable liquors, paper, bread, drapery, and grocery goods. And now I come to the provisions of the Bill itself. I should like to point out, in the first place, that it gives no power to the Justices to fix the number or character of the licences required in any particular part of Ireland. The Justices would not be influenced by the opinions expressed by the people themselves, and one principal objection we have to this Bill is, that two-thirds of those who vote will have the power to prohibit the sale of intoxicating liquors altogether, or to say that no new licences shall be granted. Now, let us suppose, for instance, that this vote is taken in a district in which there are 100 voters. According to the Bill, one-tenth of the voters can initiate an election on the point, that is to say—10 out of the 100 voters can start proceedings under the Bill. Then, when the election takes place, it may be that only 30 will record their votes. Out of those, 20 may decide, two-thirds, so that it will come to pass that 20 persons will have the power of binding 100. The hon. Member shakes his head, but does he know—he must know—how these things work in Ireland and elsewhere. On these matters the people do not vote generally unless their votes are touted for by Associations. Very often they are away from home, and their wives or daughters fill up the papers. Even if it were ballot-voting, no expression of public opinion would be arrived at, for people will not take the smallest interest in things like these; they will not, as they will in a Parliamentary or Muncipal election, give up a day's work or put off a jouney in order to vote. The Bill, I say, might be put in operation by 20 men out of a hundred, not more than 20 per cent. of the people voting, or, at the most, say 30 per cent., and it would be a monstrous injustice to bind up a hundred people, and close public houses, which may be a convenience to these, on the votes of 20. I cannot suppose that the House of Commons will agree to such a proposal. Then we come to the matter of licences. Suppose there are a hundred licensed houses in a district, that this first Resolution is not carried, that the sale of liquor is permitted, but that the second Resolution is carried, and that the number of licences may be reduced to a certain number specified in the notice, no provisions are to be found in the Bill for deciding upon what basis these clauses are to be carried out. First of all, it is not stated how we are to arrive at the number. Many persons might vote that the 100 houses might be reduced to 60, others to 50 or 40. How are the Justices to arrive at what the number should be? Say the number is 50, what provision is there for deciding which 50 licences shall be abolished? How is it to be decided if Smith, or Brown, or Jones, or Robinson, shall lose his licence? Is the selection to be made by favour; is it to be by judgment; if by judgment, upon whose judgment? Or are licences to be taken in alphabetical order, or by streets, or by priority of issue? These are matters upon which the House ought to be enlightened before passing this Bill. An hon. Member near me suggests Committee, but I doubt very much whether any Committee ever yet formed by the House of Commons can answer these questions in a satisfactory manner. Then, the hon. Member has referred to the question of compensation, and, of course, he very wisely and properly says he is not altogether opposed to the principle of compensation. But who are to compensate when a licence is extinguished? Is it the State, or is the compensation to come from those the value of whose property is enhanced by the restrictions upon, or extinguishment of, licenses? I find that one portion of the Bill says that a voter in any town, division, or district, by notice in writing, not later than May the next year, may

put this Bill into operation. And let us suppose in Dublin, where there are 15 wards, the people of one ward decide to put the Bill into operation, and the people in a neighbouring ward do not. How will the cause of temperance be promoted by the Bill? How are even the objects the hon. Member has in view to be attained? Would it not be quite easy for the people of one ward to go into the other, and get any drink they might require? A man who desires to get drunk will not be prevented, and only inconvenience will be put in the way of those men who make a proper use of a public-house, as many men do. The proportion of publicans in one ward will be extinguished; while in the other ward the property will be enhanced in value, and I cannot see any gain to the cause of temperance in such a proceeding. Its injustice is only another proof supporting my conviction that hon. Gentlemen, like the hon. Member for South Tyrone, by continually introducing crude, unsatisfactory, and reckless measures, help to defeat themselves; and their efforts to promote temperance are abortive. The hon. Gentleman has quoted statistics, and I could quote statistics. The Bishops of Ireland are going the right way in this matter. They are men who understand human nature, men who, above all things, know that the people will not be coerced into virtue, and who appeal to other motives; not by the addition of one more to these crude and ill-considered attempts at legislation, which never command the support of practical men. The hon. Member made considerable reference in his speech to the necessity for curtailing the power of Justices in granting licences, and there I agree with him, but he would place in the hands of the people at large the power of compelling Justices to reduce the number of licences already granted. I have endeavoured to show that this Bill will be put in operation by a very small section of people, generally a few fanatics who will go about and induce people to sign voting papers, and thus a small percentage of people would exercise a power to inflict great injury upon traders. Take the present agitated state of Ireland—though I do not base my arguments on that. I wish to argue as if the country were in a normal state—but at present this power might be put into operation with terrible effect against a certain class of traders. Suppose the Bill passed, and after May next year the people in a certain district decide that the number of licences shall be reduced—say in Ennis—from 100 to 50, so that Justices would have suddenly placed in their hands the power of reducing licences by 50 per cent.

*MR. SPEAKER: Order, order! There is an hon. Gentleman standing with his hat on.

MR. J. O'CONNOR: Is it not likely that these Justices would use this power for the purpose of persecuting those publicans who are known to hold strong Nationalist opinions? I say, therefore, that Irish Nationalist Members ought to hesitate before placing in the hands of Justices this terrible engine, which undoubtedly the Justices would use against political opponents. I alluded just now to the question of compensation, and I referred to the possibility of one of the wards of Dublin deciding to close public houses. Suppose out of 100 houses 50 are closed. I think I am not going too far when I say that each of these would be worth £2,000; here you would have £100,000 worth of property swept away with a stroke of the pen and a vote brought about in the manner I have described. These are the only observations I have to offer on the provisions of the Bill, and now I come to the Resolution I have to propose, asking the House to declare the inexpediency of further legislation, pending the introduction of the Local Government Bill, of which notice has been given. We know that in the Local Government Bill proposed for England there were provisions for the regulation of the liquor traffic. These provisions were dropped, and are in abeyance for the present, but we have no reason to suppose that the Government do not intend in the Irish Bill to include some such provisions in regard to licenses, and I think the strongest argument for introducing some such provisions has been urged by the hon. Member (Mr. T. W. Russell) himself, who has declaimed against the action of justices in Ireland. I agree with him in the opinion that the Justices have abused the power in their hands. I believe they are on too intimate terms with wealthy owners and merchants and have been too

inclined to grant licences where there were no excuses for doing so. I believe that strong necessity exists for altering the Licensing Authority, but until the Authority is altered by future legislation I strongly object to giving to a scratch vote of the people the power to curtail existing licences. The whole trouble in this matter in Ireland has arisen from the reckless manner in which licences have been granted, and I sincerely hope that before long we shall have before us a measure restraining this power. By restricting the issue of licences you will practically bring the trade into the hands of people whose interest it will be to conduct their business within the requirements of the law, and to dispense better liquor than some of them now do. The reckless distribution of licences has had a most detrimental effect on the trade, I am convinced, as well as on the health of the people. The trade is so distributed that traders, to meet the cost of licences, and high rents, are led to encourage trade by selling at unlawful hours and to increase profits by adulteration. I hope, therefore, that by a gradual process, and the refusal to grant new licences, the trade may be confined within a narrower circle. Unfortunately, it too often happens that Justices in Ireland grant licences to retired constables, who know nothing whatever about the trade, and who, released from the restraints and discipline of the force, relapse into the worst of habits. So, also, the Justices grant licences to the widows of old servants, who are in no position to know the requirements of the trade, and who often appeal against the law from sheer ignorance and incapacity. Unsuccessful farmers, too, embark in the trade, and set up houses in small towns, through the facility with which they can get licences by means of the acquaintance of somebody who is intimate with "His honour." These add the sale of drink to a grocery business, and, having no knowledge or business capacity, get into debt, ruin themselves, and bring discredit on the trade, while injuring the business of their more competent neighbours. Holding the views I have expressed, I oppose the Bill, and have put down this Resolution, and I look forward to legislation that will carry out the principle of local veto, to which I am not strongly opposed, and which, carried out in a manner that will give satisfaction to the popular will, I would support. And now I must trouble the House on another subject, and place before it some of the evidence collected by the Select Committee about two years ago, because that Committee considered not only the question of Sunday Closing, but of closing public houses on Saturday, and as this Bill has for its object not only the curtailment of licences, but the entire closing of public-houses, it will be necessary for me to refer to the opinion of those best qualified to judge of the operation of the laws controlling the liquor trade. Before I proceed to quote, let me say that I am strongly in favour of the control of public-houses, and I would have that control exercised from chimney-top to basement. I would have public-houses open to inspection at all hours. I only wish I had the drafting of a scheme for the promotion of temperance in Ireland. [*Laughter.*] Hon. Members may laugh; but I would draft a Bill that should be effectual; there should be no bringing in Bills year after year, which have no chance of passing, and which are often an outrage upon common sense. These Bills do not pass; it is a long time since the House passed an Act for regulating the liquor trade in Ireland. Many of those who were in favour of this legislation have changed their opinions. When a Bill regulating the liquor traffic was last passed, those who represented Ireland in this House were men who had cellars of their own. Are 70 per cent of the Irish Members now in favour of this legislation? Certainly not. They are evenly divided on this subject; and I believe there is a strong feeling among the Irish Members that a Home Rule Parliament in Dublin would be the only Parliament capable of legislating on this subject without damage to the various interests that are concerned, while promoting, at the same time, the objects we have at heart. I do not yield to any man in a desire to promote the welfare of the Irish people; but I maintain that the passing into law of a Bill of this kind would result in evils of a very serious character. When the Committee were sitting upstairs we asked many of the witnesses what would be the effect of Sunday closing. One very important

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witness, Mr. Lanetti, the representative of the United Trades of Dublin, said there was a consensus of opinion, that as wages were paid on Friday nights and Saturday forenoon——

*MR. T. W. RUSSELL: I rise to a point of order. The Bill which was before the Select Committee stands on the Orders for the 20th April. I wish to ask your ruling, Sir, whether the hon. Member is at liberty to discuss that Bill on another Bill which has no relation whatever to it?

*MR. SPEAKER: The hon. Gentleman is not entitled to discuss the details of the Bill, but mere reference to it would be out of order.

MR. J. O'CONNOR: I have not referred to the Bill, nor was it in my mind. The Bill now before the House has for its object the closing of public-houses every day in the week in any district where the people vote in favour of it; and if I can prove it to be a great hardship to close public-houses on any one day surely it strengthens my arguments against this Bill. Mr. Lanetti pointed out that the men have their wages in their pockets all day Saturday, and that the closing of public houses an hour or two earlier would be of no benefit, while it would cause great inconvenience to the working classes generally. Another result which Mr. Lanetti anticipated from early closing on Saturdays would be that the men would take home bottles of porter over night. Further, in reply to Mr. Theodore Fry, he expressed a fear that the curtailing of hours would lead to shebeening, and procuring drink illicitly. The Rev. Canon Sheehan, of Cork, who was also called as a witness, said the early closing of public-houses on Saturdays would largely increase the temptation to take drink home on Saturday nights; it would increase home drinking on Sundays, and would lead to stupid, idle, wasted Sunday mornings. Further, he said that it would be a greater evil to create home drinkers than to allow men to get drunk in public-houses. He held that 10 cases of drunkenness at home were worse than 20 cases in a public-house. The curtailment would also lead to the establishment of drinking clubs. Now, the President of the United Trades of Cork, in his evidence, said he had never tasted intoxicating liquors in his life; but his intimate acquaintance with the social life of the people had forced him to the conclusion that the evils which would be produced by closing public-houses would be greater than those which this Bill proposes to remedy. He condemned strongly the practice of home drinking, which was simply ruinous to families and children, by reason of the bad example it set. A strong feeling exists—I think I can show—among the working classes of Dublin and Cork, and of Ireland generally, against such a measure as this; while men who are thoroughly acquainted with the requirements of the people are also opposed to a Bill like this; on the ground that it would set up greater evils than it professes to put down. A well-known priest of Belfast also gave evidence before the Committee, which had a similar bearing. He said—

"We are strongly of opinion that there are other means whereby the cause of temperance could be promoted more effectually than by this Bill. The improvement of the social condition of the working classes would do much more to promote temperance than any coercive legislation."

Mr. O'Donnell, an experienced Dublin magistrate, said before the Committee—

"It is hopeless to expect, by any change in the law, to make the drunken classes (speaking of the labourers) more sober until there is improvement in their wretched domiciles."

Similar opinions have been expressed by Resident Magistrates, doctors, and other persons well qualified to speak upon the subject. The Mayor of Sligo said—"I do not believe people can be made sober by force or by coercion." Mr. Irving, a Resident Magistrate held that, if the houses of the poor were improved sanitarily that would be much more effectual in promoting temperance than any legislation. Dr. Burn, of Dublin, said—

"I think the proper way of making the people sober is to educate the masses and provide proper places of amusement for them."

I now wish to lay before the House a few statistics as to the effects of Sunday closing in Ireland; and the figures I propose to quote show, I submit, that there has been a decrease of drunkenness in those parts of Ireland where the Sunday Closing Act has not been in operation, and that there has been an increase where it has been in operation. In Dublin, in the two years between April, 1877, and April, 1879, the arrests for Saturday drunkenness numbered

10,754; in the two years from May, 1885, to May, 1887, they fell to 8,440. And in connection with these figures it is important to note the number of persons using the public-houses. On the 10th March, 1888, 14,582 persons entered 30 public-houses; on the 18th March, 1886, the number entering 30 public-houses was 13,426. In Belfast, in 1874, four years before the operation of the Sunday Closing Act, the number of arrests on Sundays was 396, and in 1882, after the Act had come into operation, the number rose to 512. In Belfast also the number of Saturday arrests was as follows:—1878, 2,036; 1879, 2,207; 1885, 1880; and 1886, 1,540. In Cork, in 1874, the Sunday arrests amounted to 319; in 1879, they rose to 480; and in 1884 they stood at 499. The number of Saturday arrests in that city were:—1880, 768; 1883, 557; 1884, 662; 1885, 602; 1886, 477; and 1887, 451. Judging by these results, the public will scarcely appreciate the expediency of further curtailing the trade, when past restrictions have only tended to increase drunkenness, while where the restrictions have not been in operation arrests for drunkenness have decreased. In Waterford the Saturday arrests fell from 426 in 1877 to 225 in 1887. The passing of the Act did not effect the Saturdays; therefore, it shows that when you allow the natural inclination of the people to operate, and do not restrict their ability to get drink whenever they choose, and do not encourage them to take drink home with them, they become more temperate. In Clonmel the number of Saturday arrests——

*Mr. SPEAKER: I am reluctant to interrupt the hon. Member; but these statistics, I must point out, bear on closing public-houses on a particular day; whereas this Bill deals with the prohibition of the sale of intoxicating liquors.

Mr. J. O'CONNOR: Yes, Sir. My intention is to show that the curtailment of the hours of sale has resulted in an increase, rather than a decrease, of drunkenness, and that this Bill would have an effect contrary to that which is desired.

*Mr. SPEAKER: I consider that the statistics which the hon. Member has been quoting relates to a Saturday or a Sunday Closing Bill; but not to the Bill before the House.

Mr. J. O'CONNOR: I will not further refer to statistics, but will proceed with another part of the subject which I hold to be quite as important. I am strongly of opinion—and there is no stronger conviction I brought away from the sittings of the Committee—that not only the curtailment of the hours of sale, but the closing of the houses would result in an enormous increase in shebeens in Ireland. I could not make my case complete without drawing the attention of the House to the evidence given before the Committee on this head. First of all, we have the statistics given by the police of Dublin and elsewhere. It appears from these that in the Metropolitan District in 1876 — before the passing of the Sunday Closing Act—the number of convictions for illicit sale was 245; whereas in 1883, after the passing of the Act, the number was 370; showing an increase of over 100 on the previous number. That is to say, that five years after the passing of the Sunday Closing Act, which reduced the hours of opening in Dublin by nearly two, the number of detected shebeens—and there is a great difference between the number of detected shebeens and the number undetected—had increased 51 per cent. In this result of the closing of public-houses compulsorily I am borne out by priests, mayors of towns, Poor Law Guardians, and every man who has ability to understand and opportunity to judge of the operation of these laws. The hon. Member who introduced the Bill gave us some very interesting statistics to show that drunkenness is on the increase. Well, that is so; but it is in consequence of restricting the proper use of public-houses. The number of cases of drunkenness before the magistrates increased from 64,506 in 1874 to 68,678 in 1882—an increase of 4,172 cases in the area embraced by the Act; while in that portion of Ireland not embraced by the Act—namely, Dublin, Belfast, Cork and Waterford—the number of cases of drunkenness taken before the magistrates decreased from 32,932 in 1874 to 19,019 in 1882, or a decrease of 13,913. These figures will, I hope, convince the House of the inexpediency of passing any further legislation on this subject. Now, I have alluded to what

many of us believe to be the proper means of promoting temperance, and that is giving facilities for the building of artizans' dwellings, and increasing the comfort of the people by establishing parks and encouraging legitimate amusements, rather than bringing forward restrictive and coercive legislation. We believe that coercion will fail in its object, no matter to what it may be applied. Wherever restrictive legislation is put into operation it proves a failure. I was anxious that before this Bill came on the Report of the Royal Commission on Sunday Closing in Wales might be introduced to the notice of the House. The Report, however, has not yet made its appearance, and I can only hope that it will do so before the other Bill—for we are surrounded by measures of this kind—comes on for discussion. Sunday closing has been in operation for some years in Wales, and yet many important persons capable of forming sound judgments on social questions, and who have many opportunities of observing the operation of legislation, have reason to feel grave dissatisfaction at the working of the Welsh Act. That dissatisfaction was so strongly expressed by a Judge on the Bench, by a certain noble Lord of great influence in Wales, and by the editors of great and important Welsh newspapers, that the Government of the day appointed a Royal Commission to inquire into the matter. Well, a very strong opinion, adverse to the continuance of the Sunday Closing Act, has been expressed. ["No, no."] I do not say by the Royal Commission; but no one can deny that such opinion has been expressed by Mr. Justice Grant, by Lord Aberdare, and by many Welsh newspapers; and I complain that in the face of such opinions as these, and before the Royal Commission has reported, we should be asked to put our seal and stamp on the crude and insufficient measure brought before our notice to-day. We are asked to proceed on lines condemned by such high authorities. We are asked to promote temperance by a method not even approved of by the Irish Bishops—even condemned by them in their Pastoral. ["No, no."] Well, I have read out the words of the Bishops, who appeal not to Acts of Parliament but to religion, and the grace which they beseech the Almighty will bestow on the people. I was able, a short time ago, when discussing the question of closing public-houses all day on Sundays, to read to the House the opinions of police magistrates, police inspectors, and chief constables, in charge of large and important districts in Scotland, who wrote saying that the Forbes Mackenzie Act had been an entire and complete failure. In many parts of Scotland, if facilities were afforded for the gathering of information, I am sure that such information would all point to the failure of these Acts of Parliament in Scotland. And not only is it in Wales and Scotland that these Acts have been proved to be failures, but outside this kingdom many countries have been obliged to depart from the lines on which they have been legislating in this respect. Many States in America have abandoned total prohibition, and other States have only abstained from doing it because prohibition is embodied in their Constitution—and when a law is made part of a Constitution in the United State, it requires a two-thirds majority to abolish it, and that, obviously, is a majority not easy to obtain. I feel confident that if it were not for this difficulty, prohibition would disappear from the laws of the United States, and for the reason that the American people are in the habit of legislating according to the principles of common sense. In the face of these facts, I would ask the House to hesitate before accepting the principle of this Bill. I have endeavoured to show the House that if public houses are closed in some districts and kept open in others, as would undoubtedly be the case under the operation of this Bill, drunkenness will not be prevented, while the inhabitants of districts where the houses are closed will be seriously inconvenienced. I have pointed out that the Bill would be utterly inoperative, unless closing were general; and on all the grounds I have mentioned I oppose the Bill. It is, I believe, inexpedient to introduce any further legislation on this subject until the proposals of the Government on Irish Local Government are known; and, while I am as anxious as any one to promote the cause of temperance, I feel that this measure is too drastic in its principle, and would not effect the object intended, and I therefore move its rejection.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words—

"In view of the proposal by Government to introduce during the present Session a Local Government Bill for Ireland, it is inexpedient to further legislate for the control and regulation of the trade in exciseable liquors in Ireland until the House shall have ascertained the scope and powers of such Local Authorities as it is the intention of the Government to create."—(*Mr. John O'Connor.*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(4.55.) MR. J. NOLAN (Louth, N.): I rise for the purpose of seconding the Motion, and I wish to do so in as few words as possible after the able statement of my hon. Friend. We are all agreed as to the object which the promoters of the Bill have at heart, namely, the promotion of the temperance movement amongst the Irish people, and we only differ as to the means. The promoters of the Bill believe that the object in view will best be attained by coercion. I, for one, believe that the object in view will he better attained by education. The hon. Member for South Tyrone pointed to the great improvement that has taken place in the temperance of the people, declaring that drunkenness is less common than it used to be. I am glad to be able to bear out the hon. Member's statement in that respect. I know, as a matter of personal observation, that drunkenness in the rural districts in Ireland has become rare: whereas it was rather prevalent many years ago. But I do not admit that this happy change has been brought about by anything in the shape of coercive legislation. There were, in fact, marked changes in the habits of the people before this House resorted to coercive legislation; and, in my opinion, education, and the influence of the pastors, have produced the improvement noted. Now, we are all agreed that this measure is a very important one; but I can scarcely congratulate the hon. Gentleman in charge of it on his endeavour to force it through the House on a Wednesday afternoon in the absence of a great majority of the Members. I think the hon. Member would have better served the object he and his friends have in view if he had used his great influence with the Government to secure a whole day for the discussion of the Bill, when it might have been adequately discussed in a full House. The prohibition of the sale of drink has been tried in other countries, and not with the best results. I dare say all hon. Members received this morning a Circular containing a letter from a former Member of this House, who is himself an ardent temperance advocate. This gentleman (Mr. Plimsoll) gives his experience of the liquor law in the State of Maine. He says that there, right at the headquarters of the great Generalissimo of prohibition (General Neil Dow), he finds that, notwithstanding the fact that the sale of drink is absolutely prohibited, there are no fewer than 300 houses where drink is openly sold. Moreover, he finds that the number of arrests for drunkenness in that town is quite as large as that in most other towns of the same size in the Union, where the sale of intoxicating drink is not prohibited. I find, too, that the hon. Member for the City of Derry (Mr. Justin M'Carthy) states that when he was in the State of Maine he could walk into a grocer's shop and buy drink without the slightest difficulty. I contend that the setting a law of the kind in question at nought must have a very demoralising effect on the people. I notice also that in a debate in the other House a noble Lord said that the operation of the Maine Liquor Law had driven him into a criminal conspiracy with an innkeeper in the United States. When it produces such an effect upon one of the pillars of the State, what effect may it be supposed to have upon a humbler member of society? I yield to no one in my desire to promote temperance amongst the Irish people; but I fully believe that the promotion of temperance will not be secured by any drastic measures, such as those I find embodied in this Bill. It is for this reason that I beg to support very heartily the Amendment of my hon. Friend.

(5.3.) MR. J. WILSON (Lanarkshire, Govan): I rise to make one or two observations in consequence of something that has fallen from the hon. Gentleman the Member for South Tipperary (Mr. J. O'Connor). I cannot sit still when I hear the hon. Gentleman

state, as regards Scotland, what I consider to be entirely contrary to the facts. The hon. Gentleman spoke of the Scotch Sunday Act as an entire failure, and said he was borne out in this statement by magistrates and other officials. I am sorry to bring the hon. Gentleman to book. Last year, when the hon. Gentleman spoke on this subject, he read an extract from a pamphlet, and led the House to believe that the statement he quoted was that of the Lord Provost of Glasgow. I asked him for the name of the Lord Provost, and, after considerable hesitation, he said the name was that of a Roman Catholic ecclesiastic—a provost of that denomination. Sir James Kay was at that time Lord Provost of Glasgow, and that gentleman has never expressed the opinion that the Scotch Sunday Closing Act is a failure. And I am here to flatly contradict the hon. Gentleman in stating that the magistrates and other officials in Scotland are against the Sunday Closing Act in Scotland. I am satisfied of this, that no Member of Parliament, no man in any official position in Scotland will rise in the face of a Scotch audience and advocate the abrogation of the Sunday Closing Act. The hon. Member for South Tipperary condemns this Bill. It is a Bill that I highly appreciate, and I only wish the people of Scotland had an opportunity of adopting such a Bill. This Bill is a permissive Bill. It does not interfere in the slightest degree with the machinery now in operation for the granting or withholding of licenses. It is a Bill which puts into the hands of the ratepayers, who are the parties interested in the matter, the power of carrying out their wishes in regard to the liquor traffic. There is no coercion about the measure; indeed, the coercion is all on the other side, inasmuch as the present law gives power to Justices of the Peace, and to magistrates of the counties, the power to grant licences over the heads of the people, to their demoralisation and to their great hurt socially. I maintain that the philanthropist of the present day, whether his efforts are directed to religion or to charity, or to whatever else, is baulked in his endeavours by the extravagant indulgence in strong drink on the part of the people. We ought to give the people a chance of redeeming themselves from this curse, and you never can give them that chance unless you give them the opportunity of carrying into effect what they desire. We hear a great deal about the housing of the poor; I wish all success to the movement, but I hold that that success is greatly retarded by the indulgence in strong drink. Wherever you plant a licensed house, there you will find crime, immorality, poverty, and disease rampant. If we wish to do good for our fellows, we should remove every obstacle to their rise in the social scale. This Bill is a step in the right direction. The hon. Gentleman said that some doctor in Dublin says that a cure for drunkenness is to give the people the benefit of additional amusements. Within the last few days I had the pleasure of being in the company of one of the Senators of Victoria, and he told me that in his country they have eight hours work, eight hours play, and eight hours sleep; that every amusement is provided for the people, and yet they drink far more than we Britishers do. I should be very glad to see the people have more amusements than they have, but the provision of amusements will never cure the radical evil which is in our midst. In conclusion, I have only to say I hope the hon. Member for South Tipperary will never again declare in this House that Scotland wishes the abrogation of the Sunday Closing Act.

(5.13.) MR. W. REDMOND (Fermanagh, N.): I altogether fail to see how any person who holds the opinion that the liberties of the people should be extended can possibly oppose this measure, because the only object of the Bill is to give the people the power to do what they wish. Whatever a Sunday Closing or a Saturday Closing Act may be, this Bill cannot possibly be described as coercive. It merely proposes to allow the people to prohibit, if they think fit, the sale of liquor, and to regulate the number of licences. I am very sorry that the people are not able to exercise powers of this kind in reference to a great many things in Ireland, and I certainly will support this Bill. There are, however, one or two matters which will require amendment in Committee. In the first place,

the majority of two thirds is altogether too small. I think it should be a three-fourths majority. The hon. Member for South Tipperary opposes the Bill because he believes that a very small percentage of the people will vote under the powers of the Bill. He believes that only 30 per cent. of the people will vote. Does he mean to say that the remainder of the people care so very little for the subject that they will not take the trouble to vote? I assert that the people who will be opposed to this law will take more care to vote than they will to vote in regard to any other matter. I cannot sit down without remarking that if this Bill does not come to a successful ending I must attribute it very largely to the attitude taken up by the hon. Member for South Tyrone. The hon. Member holds opinions which differ very considerably from those of hon. Members on these Benches, who are just as anxious to see the evil results of excessive drinking in Ireland done away with, and if he is really anxious to do good in this case and to enlist the co-operation of hon. Members in this part of the House, he must cease to use the language in regard to us which he is in the habit of holding in different parts of the country. I received to-day a newspaper containing the pastoral letter of the Archbishop of Dublin and other Bishops on the temperance question, and I find in another portion of the paper the following quotation—

"The Parnellites are the body-slaves of the most murderous association of scoundrels that ever disgraced the world."

I assure him that, in holding language of that kind with reference to us, he is injuring the temperance cause as it never was injured by any man before.

(5.20.) MR. CAVENDISH-BENTINCK (Whitehaven): I should like to know why the hon. Member for Govan (Mr. J. Wilson), holding the views he does, did not endeavour to help the House last night when a Scotch Liquor Bill was on the Paper? I have always regarded the state of things in Scotland as a reason why this repressive legislation should not be advanced further. Amongst the Scotch Members there certainly is a very great difference of opinion on this subject. I had not the advantage of hearing the speech of the hon. Member for South Tyrone, but the hon. Members who have spoken on the same side of the question have not addressed themselves to the provisions of the 15th clause. The opposition which I offer to the Bill is based entirely on what I hold to be the new principle which is to be found in that clause. Hitherto the Teetotal Party have confined their attacks to the Licensed Victuallers, but this Bill provides that the sale of intoxicating liquor shall be prohibited if the people think fit. I apprehend that is to extend to wine and spirit shops: that no wine and spirit merchant is to be allowed to carry on his avocation. I also apprehend that the Bill will extend to breweries. But there are clubs where intoxicating liquors are sold. I see that the hon. Member is a member of the Ulster Reform Club. Does he mean to say this Bill should go the length of closing that club?

*MR. T. W. RUSSELL: I should be very glad if intoxicating liquor was excluded from the Ulster Reform Club.

MR. CAVENDISH-BENTINCK: The hon. Member now proposes to close all Licensed Victuallers' premises, all wine and spirit shops, all breweries, all clubs; indeed, every place where intoxicating liquors are sold. I, therefore, think the Bill is one of the most tyrannical measures ever proposed, and that it ought not to be accepted in a free country. The hon. Member for Fermanagh (Mr. W. Redmond) thinks the people ought to be consulted in this matter. But you only intend to consult the ratepayers, and they are not the only people interested in the sale of liquor. What right has a householder to speak for all the inmates of his house, who may number 10, 15, or 20? This Bill——

(5.25.) Mr. THOMAS W. RUSSELL rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes 165, Noes 79.—(Div. List, No. 37.)

Question put accordingly, "That the words proposed to be left out stand part of the Question."

(5.40.) The House divided:—Ayes 124, Noes 131.—(Div. List, No. 38.)

Words added.

Main Question, as amended, put.

Resolved, That, in view of the proposal by Government to introduce during the present Session a Local Government Bill for Ireland, it is inexpedient to further legislate for the control and regulation of the trade in excisable liquors in Ireland until the House shall have ascertained the scope and powers of such Local Authorities as it is the intention of the Government to create.

ARMY (ANNUAL) BILL.—(No. 194.)

Bill read the third time, and passed.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 80.)

Considered in Committee.

(In the Commiitee.)

Clause 18.

Committee report Progress; to sit again To-morrow.

And, it being Six of the clock, the Chairman left the Chair to make his report to the House.

It being after Six of the clock, Mr. SPEAKER adjourned the House without Question put till To-morrow.

[APPENDIX.

APPENDIX.

MEMORANDUM OF THE SECRETARY OF STATE

RELATING TO THE

ARMY ESTIMATES, 1890-91.

Presented to both Houses of Parliament by Command of Her Majesty, March, 1890.

Following the plan adopted last year, I reserve for statement in the House of Commons any general review of progress during the past year, and of future policy.

The Committee on Estimates Procedure (grants in supply) recommended in 1888 that steps should be taken in the direction of grouping together Votes of a cognate character. In accordance with this recommendation, the number of Votes has been diminished by grouping, but none of the information previously given has been withdrawn from the Estimates, and care has been taken that the changes so introduced should tend to assimilate the Estimates for the Army and Navy respectively, and to disturb as little as possible the existing form of the Votes.

The Estimates for 1889-90, including the Ordnance Factories' Vote, showed an anticipated expenditure of 14,321,500*l.* for effective, and 3,006,632*l.* for non-effective services, making a total of 17,328,132*l.* Since then Supplementary Estimates, to the amount of 71,700*l.*, have been presented, which, however, it is fully anticipated, will be covered by the surrender of increased Appropriations in Aid.

For 1890-91, the Estimates, including the Ordnance Factories' Vote, show an anticipated expenditure of 17,727,800*l.*, of which 14,635,600*l.* is for effective, and 3,092,200*l.* for non-effective services, being an increase on last year of 399,668*l.*

It will be seen that the main cause of this increase is the rising price of fuel, provisions and of various materials, the cost of the new magazine rifle, and the additional sum required for non-effective services.

The Establishment, with the exception of certain further additions to Colonial Corps, remains practically unaltered. In spite of the increasing rate of wages for unskilled labour, and other causes adverse to recruiting, the report of the Inspector General of Recruiting is upon the whole satisfactory. The effect of a slight reduction in the standard for gunners of the Royal Artillery has been to attract the necessary men to that arm of the Service. No less than 13,122 Militiamen, and 1,462 Volunteers, have enlisted in the Army during the past year. The Army Reserve now exceeds 54,000, the increase, I am glad to say, being specially marked amongst men of the Royal Artillery.

The improvement in trade, by increasing the demand for labour, and by inducing more men to purchase their discharges, has led to a decrease of 2,673 in the number of enrolled Militiamen. But the number of Militia Submarine Miners, to the raising of which much importance was attached, shows a satisfactory increase. There is also reason to believe that the supply of recruits will be considerably stimulated by the re-adjustment of Militia Establishments. Companies will be reduced where long experience proves that numbers cannot be maintained, and corresponding increases will be made in more favourable localities.

The confidential reports upon the condition of the Militia battalions generally continue to be very satisfactory. The musketry has improved, and good discipline is maintained.

The able and exhaustive report of Lord Harris's Committee upon the condition of the Militia has been received and considered. Its recommendations have, for the most part, been approved, extending the training of Militia recruits, and providing increased facilities of instruction to Officers, and some improvements in comfort. Provision has been made in the present Estimates for dealing with them.

The hope expressed last year as to the raising of the Malta Militia has been fully realised. At the inspection of the new corps in October last, 554 rank and file were present on parade, and the General reported that the men acquitted themselves in the most creditable manner. Since that time it has been recruited practically up to its Establishment of 1,000 men.

The Yeomanry are also favourably reported upon in almost every instance. Recruiting shows signs of improvement, and there appear to be fair grounds for hoping that the agricultural depression which has told so severely on the Yeomanry is gradually passing away.

The Volunteers show a reduction of 2,350 enrolled men. It is probable that, just as in the Militia, some re-adjustment of the Establishments of Volunteer Infantry will at once prevent further diminution in numbers, and will add to the force in localities where its increase would be specially desirable. My attention has been specially given, as I promised last year, to the subject of the allowance for attending camp, and a small Committee has gone fully into the best means of dealing with it. The rules, now adopted in accordance with its recommendations, will enable every Volunteer, who desires to do so, to go into camp, or join a marching column, once a year. Further expenditure has also been incurred by the equipment of 12 new batteries of Volunteer Artillery, and by the appointment of additional Inspectors of Musketry.

The reports of General Officers on the general condition of the Volunteer Force are satisfactory, though some have to deplore the continued deficiency of Officers. I am also specially glad to note the improvement in the Railway Corps, of whom a certain proportion are now passing into the Army Reserve.

The net result of the various changes in the Vote for the Militia and Auxiliary Forces is an increase of 26,300*l.*

Vote 1 shows a net increase of 61,000*l.*, which would have been considerably larger without the increased contributions which we expect to receive from certain colonies in aid of the cost of their defence. This subject, which had been little examined of late years, has now undergone most careful scrutiny by the Departments concerned, and the result has been the demand for additional contributions in all cases where the circumstances have fully justified it.

The increase of 10,000*l.* required for good-conduct pay will be cordially noticed. Deferred pay, the charge for which is now approaching its maximum, coming into full operation for the first time, absorbs no less than 50,000*l.* The growth of the corps being raised for our colonial garrisons, and of the Army Reserve at home, account for 34,000*l.*

The Vote for Provisions (Vote 5) is still growing in amount. Notwithstanding some reduction in the price of forage, it is necessary to estimate for an increase in the cost of the ration and of fuel, and the result is that the supply portion of the Vote is swollen by 42,000*l.* It is fair, however, to add that this is in part due to the reserves of food established at certain foreign stations, to which subject my attention has been specially directed during the past year. Under the head of clothing we estimate that 25,000*l.* less will be required this year. This, however, represents no real saving, as in anticipation of rising prices, some purchases have been made in advance.

Vote 6, for Armaments and Warlike Stores, still goes on increasing in amount, mainly owing to the introduction of the magazine rifle, and the effect of this heavy charge must be felt for some years to come. According to previous experience, the cost of its production may be expected gradually to diminish, but the saving so obtained will probably have to be utilised in hastening the issue, as the period of transition from one calibre to another is undoubtedly both inconvenient and expensive. But the House will also remember that, in addition to the magazine rifle, we are passing through a complete re-armament of our Field Army in all important respects. The progress of invention has devised improved field guns, pistols, swords, and general accoutrements, and it would not be right that our Army should fall behind in these important respects. And, lastly, the improvements in the defences of our ports and coaling stations has, for the time, thrown upon this Vote an enormously increased charge for the lighter armament, and for the completion of our system of submarine mining.

The Vote for Works (Vote 7) shows a reduction of 35,800*l.* This is mainly attributable to the fact that separate proposals are to be submitted to Parliament for the improvement of barrack accommodation. The reduction would have been greater but for the very large amount of minor sanitary services which I have felt it my duty to sanction in many of the existing barracks throughout the country.

The Vote for the War Office shows a decrease following decreases in the two preceding years, although a considerable charge has been thrown on the Vote, in the present year, by the adoption, for clerks of the Second Division, of annual instead of triennial increments, under the Treasury Minute. Higher Division Clerks are being replaced as vacancies occur by Second Division Clerks.

The increase in the Non-effective Votes is due to the fact that the normal amount of the Vote for retired pay and gratuities of Officers, under the Warrants existing up to 1887, has not yet been reached. Of the total increase of 95,500*l.*, the sum of 47,000*l.* is expected to be paid in gratuities on voluntary retirement.

EDWARD STANHOPE

25*th February*, 1890

STATEMENT OF FIRST LORD OF THE ADMIRALTY,

EXPLANATORY OF

THE NAVY ESTIMATES, 1890-91.

Presented to both Houses of Parliament by Command of Her Majesty.

INTRODUCTORY REMARKS.

The estimated expenditure for the year ending 31st March, 1891, borne on the Annual Votes presented to Parliament is £13,786,600, being an increase of £101,200 over the sum voted for the preceding year. This is independent of the expenditure which is to be covered by the £10,000,000 provided in the Naval Defence Act of last Session, and which is at the disposal of the Admiralty for the building and equipment of the 32 war vessels enumerated in Schedule 1 of that Act, and which are to be completed for sea within five years from the passing of the Statute.

An agreement, subsequently embodied in the Imperial Defence Act of 1888, was made in 1887, at London, between the Imperial Government and the representatives of the Australian Colonies, by which a squadron of seagoing vessels was to be provided for the special protection of the floating commerce in Australasian waters. The ultimate cost of this squadron was to be divided between the Home and Colonial Governments, the former providing the funds for the construction and armament, and the officers and men for the manning of these vessels. In return an annual subsidy was to be paid by the Colonies, for 12 years, for the additional protection afforded by this force. The ships will be completed in the present financial year, and provision is made in the Estimates for the officers and men and stores necessary to commission them. A portion of the subsidy payable is taken as an appropriation in aid of the Vote.

A further provision for the officers and men required for the floating defences of the Indian Government is made under Votes A and 1, the Indian Government paying the full cost of the service rendered.

Thus the number of officers and men to be provided is increased by the imposition of these new duties upon the Navy, and in return the appropriations in aid of Naval Votes are largely augmented by the payments receivable from the Australian and Indian Governments.

PROGRESS OF SHIPBUILDING.

In order to make clear the advance in shipbuilding during the past year, it is necessary to classify the vessels in course of construction, according to the separate and distinct financial arrangements which have been made to meet their cost.

First in order are the ships built both by contract and in the dockyards, contained in the old shipbuilding programme sanctioned prior to April, 1889. The whole cost of these vessels is defrayed from the Parliamentary Votes.

In the second place must be considered the ships to be built under the Naval Defence Act of last Session. These comprise (*a*) 38 ships to be built in the dockyards, and (*b*) 32 to be built by contract.

(*a*) The 38 dockyard ships are to be paid for by monies annually voted by Parliament, but any balance unexpended at the close of the year out of the funds appropriated to their construction, is to be carried to the credit of the account in the forthcoming year.

(*b*) The cost of the 32 ships to be built by contract is to be defrayed by a fund of £10,000,000, so placed at the disposal of the Admiralty as to enable the whole of these vessels to be laid down and completed with the utmost celerity. No part of this sum is borne on the Votes presented to Parliament.

Thirdly. The Australian squadron was built under the Act of Parliament already referred to, and the funds were provided under a special arrangement. No portion of the capital representing the first cost of this expenditure is contained in the Annual Votes.

It will thus be seen that the cost of the vessels in the categories 2, *b*, and 3 is excluded from the Estimates now presented to Parliament. But in order that Parliament might be in possession of the progress of and expenditure on the whole of the ships building and completing, a form of account has been specially framed for publication in the Estimates, in which full information is given concerning all these vessels.

DOCKYARD WORK.

Old Programme.

The programme for 1889-90 provided for the completion of 33 new vessels, and passing them into the 1st Class Reserve during the year. The ships are as follows :—

Armoured Ships.

"Trafalgar."	"Sans Pareil."
"Victoria."	"Camperdown."

Protected Ships.

"Magicienne."	"Barracouta."
"Marathon."	"Barrosa."
"Melpomene."	"Blanche."
"Bellona."	"Blonde."
"Barham."	

Unprotected Ships.

"Basilisk."	"Goldfinch."
"Beagle."	"Lapwing."
"Sharpshooter."	"Magpie."
"Gossamer."	"Redbreast."
"Salamander."	"Redpole."
"Seagull."	"Ringdove."
"Sheldrake."	"Widgeon."
"Skipjack."	"Sparrow."
"Spanker."	"Thrush."
"Speedwell."	"Mayflower."

This part of the programme will be carried out, except as regards 10 of the Vessels, viz. :—

The armoured ship "Sans Pareil," whose guns will not be delivered till some time in the year 1890-91 ; the protected ships, "Bellona"—not delivered in time

by Contractors; "Barham"—delayed by machinery not being delivered in time; and "Blanche" and "Blonde"—the machinery of which was delayed in delivery by the Contractors; and the unprotected ships, "Salamander," "Seagull," "Sheldrake," and "Skipjack" which will be delayed by steam trials; and the "Gossamer"—which was kept back in order that a sister ship building at the same yard might be advanced beyond the programme rate, this arrangement having been found more convenient for the work of the dockyard.

The vessels thus left incomplete in 1889-90 will be completed early in the financial year 1890-91.

The whole of the ships that were ordered and commenced before 1889-90 will be completed during 1890-91, with the exception of "Blake" and "Blenheim," thus leaving—with the exception of the two vessels named—only ships of the new programme for the financial year 1891-92.

New Programme.

Of the 38 vessels of the new programme under the Naval Defence Act that are to be built in the dockyards, 21 have already been commenced, seven more will be commenced in 1890-91, and only 10 will be left to commence after March, 1891. The 10 thus left till after next year are five 2nd class cruisers ("Apollo" class), and five torpedo gunboats.

The design of the second-class battle ships has been most thoroughly considered, and is now nearly complete, but as a final decision has not been reached by the Board, any description is not possible at present.

CONTRACT WORK.

Of the 32 vessels that have to be built by contract under the Naval Defence Act, 26 were ordered before the close of 1889. The remaining six vessels are torpedo gunboats, which admit of being rapidly constructed, and which have been held over for the present. These 26 vessels include

4	Battle Ships	of the	1st	Class,
5	Protected Cruisers	of the	1st	Class,
17	„	„	„	2nd „
26				

It was decided, after careful consideration, to give to the dockyard-built ships of each type a sensible start upon the contract-built ships of similar type, in order that all details of fitting and equipment might be thoroughly worked out in the dockyards by naval and professional officers, and thus be available for guidance in the construction of the contract ships.

Furthermore it was preferred to place the orders for the several types of vessels successively. First the 17 second-class cruisers were dealt with, then the five first-class cruisers, and, finally, the four first-class battle ships. This course of procedure has proved most satisfactory under very difficult circumstances. Eleven of the leading shipbuilding firms in the country have been entrusted with the construction of the vessels, nearly all of them having had previous experience of war ship construction. The work has also been widely distributed. Eight of the vessels are building on the Tyne, eight on the Clyde, four on the Thames, three at Barrow, two at Hull, and one on the Mersey. Work on the second-class cruisers is rapidly advancing; the larger cruisers and the battle ships are, as yet, in early stages of construction. Particulars of the progress made, as evidenced by expenditure, will be found in the Navy Estimates.

The whole of the 32 vessels to be built by contract have thus been placed, except six torpedo gunboats, which have been kept back purposely pending the conclusion of the steam trials now going on.

The designs of all these classes are described in the statement of last year. The only point requiring any mention is the addition that has been made to the boiler power of the cruisers, in order to increase their steaming capacity under the conditions of actual service.

All the torpedo boats which were in progress at the beginning of the financia year have been delivered by the builders, and it is not proposed to order any new boats in 1890-91.

The vessels building by contract for Australian service under the Imperial Defence Act of 1888 have been somewhat delayed in progress. They are, however, now far advanced towards completion, and it is anticipated will be ready for service next summer.

IMPROVEMENTS IN DETAILS OF DESIGN.

During the manœuvres of 1889 a large number of new vessels were employed. Three classes attracted special attention, each of which was represented by several examples. There were five vessels of the "Admiral" class, six of the "Orlando" class, and five of the "Medea" class. As might have been anticipated in vessels of new type when first commissioned, improvements in matters of detail were suggested as the result of experience. The most important of these had relation to coal transport and ventilation of engine-rooms beneath protective decks. These suggestions have been carefully considered, and the improvements considered necessary are now in progress.

In the ships of the Naval Defence Act these improvements form part of the original design.

RECONSTRUCTION AND REPAIRS.

With regard to the reconstruction and refit of ships in commission and reserve, the "Triumph," "Audacious," "Ruby," and "Penguin," have been completed; and the work upon the "Thunderer," "Minotaur," "Superb," and "Achilles" has been advanced during the year to such an extent that all, except "Achilles," will be finished early in 1890-91.

These ships could have been completed in 1889-90 if it had not been necessary to carry out unforeseen alterations and additions to ships in the 1st and 2nd classes of the reserve, which were of pressing importance, and thus took precedence of work upon the ships named.

The "Devastation" and "Rupert" could not well be spared from their stations to be taken in hand for placing their new engines on board until the beginning of April next.

At the naval yards abroad, the work upon ships for recommissioning, has been practically carried out during the year, as laid down in the Estimates.

DOCKYARD ADMINISTRATION.

The expenditure upon ships and services at the dockyards and the various items of incidental charges are closely scrutinized, and are being kept down as much as possible consistently with efficiency. The estimates for the building and repairs of ships and for other works are carefully examined before they are approved, and it is very seldom, and only in exceptional circumstances, that an estimate is now exceeded. The cost of building ships in the dockyards is steadily diminishing, though it is not yet so low as that of some of the ships procured by contract, after allowing a reasonable amount for incidental charges.

A thorough examination of the administration and business of the Foreign Naval Yards has been commenced, with the view of improving their efficiency and economising their expenditure. It is a work of time to complete this examination, in consequence of the long distance from England of some of the principal establishments to be visited, but the work will be concluded as soon as possible.

MACHINERY AND STEAM TRIALS.

Since the 31st March last the following ships have passed their final machinery trials under forced draught, and the limited forced draught, designated natural draught, viz. :—

No.	Class.	Name.
1	Battle Ship	"Trafalgar."
5	2nd Class Cruisers	"Medea," "Magicienne," "Medusa," "Melpomene," "Marathon."
1	3rd „ „	"Barrosa."
2	Twin Screw Sloops	"Beagle," "Basilisk."
7	1st Class Screw Gunboats ...	"Magpie," "Widgeon," "Redbreast," "Sparrow," "Redpole," "Thrush," "Goldfinch."
2	Torpedo Gunboats	"Grasshopper," "Sandfly."
6	1st Class Torpedo Boats.	
10	2nd „ „ „	
2	Coaling Barges.	

The machinery of these ships, with certain few exceptions, passed their trials satisfactorily on the first occasion, and in most cases exceeded the contract indicated horse power, and produced this power with less air pressure than that specified.

The trials of the following ships will be carried out early in the spring, viz. : —"Blanche," "Vulcan," "Pandora," and "Phœnix," the last two being 2nd class cruisers for Colonial Service.

The full-power trials of the undermentioned ships have been postponed, viz., "Sharpshooter," "Spanker," "Speedwell" and "Seagull"; and the full-power forced draught trials of the remainder of this class will not be attempted until after a series of progressive trials with one of the type have been concluded.

Defects have been reported in the boilers of some ships at home and abroad, whether fitted or not with forced draught, but these have been made good by the engine-room staff in many cases, and in general it may be said, that with greater experience in the working of the machinery the results will steadily improve. The increased provision for making and maintaining a supply of fresh water for the boilers will also diminish these defects. This is borne out by the result of the manœuvres of last year as compared with that of those of the year before.

The design of the boilers and engines of a ship must largely depend upon the service for which she is built. The engines and boilers of a man-of-war are not required to work generally at their highest power, as rapid moving from place to place is not the ordinary work of a war vessel. Moreover, in a fighting ship the weight of the machinery and the space it occupies are primary considerations, it being considered necessary to protect the engines and boilers, either by keeping them below the water line, or, if above, by defensive armour.

The machinery of a war ship is therefore designed so as to be capable of performing the varying services required of it, which comprise working generally at moderate powers, an ability to meet frequent changes of power according to the duty in which the ship may be engaged, together with a potential force in reserve capable of exerting for short periods a power many times greater than that usually required.

These conditions, combined with the limitations of weight and space, tend to make the engines less economical in consumption of fuel; and the frequent changes of power tell much more severely on the boilers than would be the case if the engines were working at a nearly uniform power, as in the case of a merchant steamer.

Thus the forced draught full power of the "Vulcan" is 12,000 horses, and the engines and boilers have been so designed that this power should be obtained

out of them with air pressure not exceeding 2 inches. This full power is intended to be used for limited periods, such as might be necessary in an action of a few hours, or for chasing or out-manœuvring an enemy. For longer periods, the forced draught is used to the limited extent of air pressure, not exceeding half-an-inch, required for the production of the specified (so-called) natural draught power of 8,000 horses.

In the cruisers of the 1st and 2nd class now building under the Naval Defence Act, the weights of the boilers have been increased by from 16 to 25 per cent. This will give increased boiler capacity and admit of beneficial alterations in design.

A similar course, viz.: an addition of 23 per cent to the weight of the boilers, and a small amount to the machinery, will be adopted in the 2nd class battle ships. No such alteration is considered necessary in the machinery of the 1st class battle ships.

Instead of continuing to design the boilers so that the steam required for full forced draught power can only be obtained by the exertions of the very best stokers and picked coal, on measured mile conditions, the present policy is to increase the weights and the dimensions of the boilers, so that the higher powers occasionally required may be more readily developed and maintained.

The steam trials on the measured mile are necessary for purposes of comparision and to ensure that the engines are capable of developing the indicated horse-power they were designed to furnish. But the speed, which for limited periods over the measured mile can be attained either by forced or natural draught, is no criterion of the continuous seagoing speed of the vessel. To the outside public these trials are somewhat confusing. In order, therefore, to clear away any misconceptions, the Board of Admiralty have given this year in the Estimates, in a clear tabular form, the estimated speed of every vessel building, both at forced draught and natural draught on the measured mile, as well as her continuous seagoing speed under the favourable conditions of ordinary service. The coal capacity of the vessel and the distance she will cover are also given, as well as the estimated consumption of coal per hour which forms the basis of the calculation. The latter calculation is still under revision.

FINANCIAL PROSPECT OF NAVAL DEFENCE ACT.

During the financial year 1889-90 the extraordinary activity displayed in shipbuilding and other industries for the mercantile marine has caused a remarkable rise in the price of the materials employed in shipbuilding, and of labour on contract-built ships.

Under the Naval Defence Act the estimates of the cost of the work to be done were so framed as to allow a margin for rise in prices and other contingencies. This margin has, in many of the contracts made for hulls and machinery, been more than absorbed in consequence of the inflation of prices during the past year.

Of the ships building or to be built in the dockyards their ultimate actual cost as compared with the estimates made last year must to a considerable extent be determined by the prices prevailing during the next three years. At present the tendency of business operations seems to indicate a fall in existing prices, but a reliable forecast is not at present practicable.

The Admiralty are not, therefore, in a position to say now whether during the next three years further sums may not be required to satisfactorily carry out the work of completing and thoroughly equipping the 70 ships included in the programme of the Naval Defence Act. So soon as information is obtained, sufficient to justify an authoritative statement on the subject, a full communication will be made to Parliament. In the meantime the contracts made and liabilities incurred will be kept well within the authorized maximum.

NAVAL ORDNANCE.

During the past year the progress made in the manufacture and supply of guns for the Navy has been fairly satisfactory, and the number of new breech-loading guns (excluding small quick-firing and machine guns) completed by the manufacturers for naval service in the year ended 31 December, 1889, is 281, as compared with 160 completed in the year ended 31 December, 1888.

This total of 281 is made up as follows :—

Nature of Gun.	Number Issued.
16·25-inch of 110-tons	1
13½ „ „ 67 „	11
12 „ „ 45 „	1
10 „ „ 29 „	4
9·2 „ „ 22 „	10
6 „ „ 5 „	88
5 „ „ 40-cwt.	60
4·7 „ (quick-firing)	37
4 „ of 26-cwt.	69
Total	281

As regards the sufficiency of Naval Ordnance Stores to meet the requirements of the Fleet, it may be mentioned that a considerable addition has been made to the reserve of ammunition, and, considering the serious nature of the deficiency which existed when the Admiralty assumed the responsibility for the provision of Naval Armaments, this fact is creditable to all concerned in bringing up the reserves to their present condition.

The following statement shows the number of heavy guns in course of manufacture, distinguishing old and new orders. It may be observed that, if the contract dates for delivery of the guns ordered for the ships included in the new programme are adhered to, the guns will be completed in ample time for the ships requiring them.

UNCOMPLETED ORDERS FOR HEAVY B.L. GUNS.

Nature of Gun.	Old Orders.	New Orders.	Total.
16·25-inch 110-tons	3	3	6
13·5-inch 67-tons	8	40	48
10-inch 29-tons	5	16	21
9·2-inch 22-tons	9	28	37
Total	25	87	112

The magnitude of the task which has been accomplished in re-arming our Fleet with breech-loading guns of the latest pattern, and the rapidity with which the work has been done, is shown by the following table :—

	No. of B.L. Guns, afloat and mounted.
31 March, 1881	Nil.
31 March, 1885	507
31 December, 1889...	1,293

There were, in addition, at the end of December, 1889, 169 B.L. guns in reserve, a number which during the last few weeks has been considerably increased. This is independent of the quick-firing guns of small calibre.

Notwithstanding the great general advance thus shown there have been serious delays, notably in the case of guns of heavy calibre, in providing the armament of certain of our large battle ships and cruisers. These difficulties are largely attributable to the unfortunate policy by which the Ordnance Select Committee was abolished in 1868, no steps being taken to supply its place till 1879. The experiments and accumulation of data necessary for the acquirement of technical knowledge to keep pace with the times were stopped for 10 years, and when the adoption of breech-loading guns was eventually decided upon, it became necessary, in order to prevent delay in the completion of ships, to press on with the construction of the guns without those previous experiments which would have detected the weak points in their design. These difficulties have now been overcome, and it may be fairly hoped that no serious delay will hereafter occur in providing ships approaching completion with their necessary armament. The "Trafalgar," the first large ship built under the new system, will be in commission with all her equipment complete within little more than four years from the date of her commencement.

During the past year the 110-ton guns forming the main armament of the "Victoria" and "Sans Pareil" have been subjected to a series of exhaustive proofs. One of the two guns of the original armament of the "Victoria" developed symptoms of a want of girder strength at proof, and after firing nearly 10 tons of powder in further tests, was returned to the contractors. In the opinion both of the naval, military, and civil experts who examined the gun, it could have been safely used on service had the necessity arisen, but as it was not a perfect gun it could not be accepted for the service of the Navy. The other gun did pass proof, but certain improvements were suggested as to its hooping. As two fresh guns embodying these improvements are available, both guns have gone back to the contractors for alterations.

The present Board of Admiralty have substituted as the main armament of all the battle ships they have laid down guns of a smaller calibre, for they consider the 110-ton gun too large and weighty for general use, though the introduction of a limited number of these heavy guns into the Naval Service was perfectly justifiable, as the gun was in existence, and was, so far as penetration and destruction are concerned, the most powerful weapon in the world. Three ships only will be armed with them.

In comparing the effective power of heavy guns there are two points to be considered :—

(*a*) Their ability to penetrate armour.
(*b*) The destructive power of their shell.

As the unarmoured portion of any armoured vessel is so considerable, and so far in excess of the armoured portion, the shell power of the gun is a most important consideration.

Now, in estimating the amount of damage which two shells will inflict, the generally accepted rule is that the damage done will vary as the squares of the bursting charges.

The 67-ton gun carries an armour-piercing projectile of 1,250 lbs. weight, capable of penetrating at 1,000 yards a steel plate 24·3 inches in thickness, with a bursting charge of 85 lbs. in the common shell. The 110-ton gun carries an

armour-piercing projectile of 1,800 lbs., capable at 1,000 yards of penetrating 27·4 inches of steel, with a bursting charge of 180 lbs. in the common shell.

Thus the proportionate damage which the bigger gun can inflict, as regards shell power, is in higher ratio to its weight than that of the lesser gun, for while the weight of the bursting charge of the shell in the one case is only about twice that of the other, the damage produced will be about four or five times as great. It seems, therefore, that in the absence of any data as to the results of a conflict between armour and guns afloat, our predecessors in office cannot in any way be blamed for giving to the British Navy the use of a very limited number of guns of this exceptional power, especially as the hydraulic mountings upon which they are placed are so effective and easily worked that there is little difference in the interval of fire between these guns and those weighing only 45 tons.

The "Benbow" is at present the only vessel in commission armed with these guns. The latest report received from the officer commanding, dated February, 1890, states (the vessel having been in commission since June, 1888, and the guns having been periodically tried) that "the 110-ton guns do not show the slightest sign of any weakness in their construction, and the officers and men have complete confidence in them."

It is sometimes assumed that in the British Navy the heavy guns now forming the main armament of our fighting ships are of excessive calibre as compared with those in use in other navies. The following comparison between the heavy guns afloat in the French and English Navies disposes of this theory.

Total number of heavy B.L. guns of 8-inches calibre and upwards, of modern type, mounted in English and French ships:—

	FRENCH.	ENGLISH.
13-inch and upwards	20	22
8-inch to 13-inch	22	66
Total	42	88

NOTE—Only guns of a length of bore of 20 calibres and over have been taken.

Although some difference of opinion may exist amongst naval officers as to the calibre and weight of guns most suitable to individual ships, nothing but approval has been expressed as to the efficiency and quality of the guns provided. A careful comparison between the ballistics of our guns with those of foreign makers is in our favour.

It may, therefore, safely be asserted that in all the essentials that constitute an effective gun—accuracy and rapidity of fire, handiness, penetration, and durability—our guns are equal to any guns in existence.

The above opinion has not been hastily arrived at. Three years ago the failure of a 45-ton gun on board the "Collingwood," the difficulties caused by the premature introduction of liners into new heavy guns, the want of reserves of ammunition, the lack of sufficient plant and machinery, and of satisfactory intercommunication between the War Office and Admiralty—caused considerable apprehension in the minds of the Admiralty as to how urgent naval wants could, under the existing system, be adequately met. The improvements that have since taken place are largely due to the personal superintendence and impulse which the Secretary of State for War himself has given to the enlargement and reform of the system he found in existence.

The Navy speak on ordnance questions as users of the articles supplied, but they are not responsible either for the design or manufacture of the weapons with which they are armed, except so far as gun mountings and torpedoes are concerned. Every gun on board ship has, after it has passed proof, to be tried with full service charges by naval officers, to test the gun mounting upon which it is placed. Every gun so passed, with its gun mounting, is tested once a quarter when in commission, and the charges fired are heavier than those in use in other navies. The experience thus gained by naval officers during the past four years in the practical use of modern breech-loading guns is unique. The absolutely unanimous evidence of all so engaged is highly favourable to the quality of the guns they have been handling.

During the year ended 31 December, 1889, 478 Whitehead torpedoes were manufactured and issued for the Naval Service. To meet the wants of the New Programme, the output will have to be considerably increased this year. A much more powerful torpedo has been adopted with successful results.

The experiments with submerged torpedo discharge apparatus, mentioned in last year's Report, have been practically brought to a conclusion, and from the results of these experiments it has been decided to fit a considerable number of ships with this apparatus.

NEW WORKS.

The undermentioned new works have been completed since the date of the last statement :—

Extension of Haulbowline Yard, New Foundry at Chatham Dockyard, Torpedo Range at Portsmouth, and accommodation for Torpedo Boats at Gibraltar.

During the present financial year the works connected with improved arrangements for coaling at Portsmouth and Portland have been commenced ; the dredging of the channel in the river Medway is approaching completion, as are also the principal buildings for the Naval barracks on Whale Island, which are already occupied by 400 men.

The Dock subsidized by the Admiralty and built by private enterprise at Halifax is practically completed, and will accommodate any ship at present in the Navy.

The Admiralty have been carefully considering the provision of a dock at Gibraltar, and have selected a site for it. They have every hope that the dock will soon be undertaken by private enterprise, with help and encouragement from the Imperial Government.

Plans for the proposed naval dock at Bombay have been prepared by Sir J. Coode, under instructions from the India Office, but no funds have as yet been allotted for the purpose.

The estimate for the New Works Vote for 1890-91 would have been considerably less than that for 1889-90, but that a sum of £49,290 has been charged to this Vote for storehouses and works constructed mainly by the War Department for Naval Ordnance Stores. This expenditure, over which the Admiralty has little or no control, has raised the total of the Estimate to £445,800, but even this is £5,200 less than the amount voted for 1889-90.

MOBILIZATION AND *PERSONNEL.*

The various Returns received during the last year, as well as the Reports of inspections and the work of the manœuvres, all show that the discipline, efficiency, and health of the Navy are most satisfactory. The ratios of mortality and sickness are the lowest recorded since 1856.

Throughout the year both divisions of the Intelligence Department, as well as the executive departments of the Admiralty, have been engaged in improving our system of preparation for war. Some results of the past work of the Mobilization Scheme were disclosed in the assembling of the Fleet for the Naval Inspection of the 5th August, and the subsequent manœuvres. It was decided to commission for the latter 50 vessels, large and small, and 38 torpedo boats. On the 18th July, 44 vessels and the 38 torpedo boats were put in commission. By the 23rd, or within five days, the torpedo boats and 39 vessels, starting from the several naval ports, had actually reached Spithead, where they were shortly after joined by the remainder, and where the Channel, First Reserve, and Training Squadrons also assembled. The Fleet thus formed comprised 73 ships and gunboats, and 38 torpedo boats, with complements of more than 22,000 officers and men, of which the number "mobilized" amounted to nearly 16,000.

In Naval Mobilization, however, the assembling of the *personnel* is a matter of much less magnitude than the operations involved in the issue, moving, and embarkation of *matériel*, and the subsequent maintenance of supplies. The results of the arrangements made in anticipation of these operations were very satisfactory

The *personnel* proved nearly adequate to the requirements. In several of the larger classes there were no deficiencies. The united engine-room complements of the mobilized ships amounted to more than 3,500; and when the Fleets put to sea there were only 14 stokers of all ratings short. The signal staff was more deficient; but the establishment had not long been increased, and time was, of course, required to complete the recruiting of the staff up to the higher numbers decided upon.

The value of the mobilization of the Fleet in annually gauging how far the numbers on the active list are sufficient for the efficient manning of the Fleet cannot be over estimated.

The alteration in the character, armament, and engine power of new war ships necessitates corresponding changes in the ratings and complements appropriated to the older types of war vessels. Actual experience alone can prove the adequacy and suitability of the new complements provided. The reports of the officers in command give a mass of most valuable information on all these involved questions, and it is only by careful noting and annually taking action upon the statements thus obtained that the ships in reserve can each be rapidly provided with a thoroughly effective complement.

A considerable addition to the numbers voted last year is now proposed, whilst additional inducements to join, as well as increase of numbers, have been associated with the Royal Naval Reserve. These proposals are all part of the system by which an endeavour is year by year made to work up in advance the manning resources of the Navy to meet the requirements of the new ships completing or building, so that when a ship is equipped no delay may occur, for want of *personnel*, in its forming an effective part of the naval force of the country.

The increase of 3,400 is mainly composed of Engine-room Artificers an Stokers, the remainder being chiefly boys entered for training.

Out of the numbers proposed for 1890-91, provision is made, as before stated, for manning the special Australasian Squadron and certain ships and vessels of the Indian Government. The number required for this purpose is respectively, 858 and 569 officers and men.

The steady and continuous development of the Fleet contemplated under the Naval Defence Act necessitates a careful consideration of the means by which the *personnel* can be simultaneously raised to meet the increased requirements of the Navy. The value of the Act, and of the principle it established, that shipbuilding should be regulated, not by the financial exigencies of any particular year, but by ascertained naval requirements embodied in an authorised programme spread over several years, would be nullified if, on the completion of the vessels thus authorised, they were found to be useless for want of crews.

The establishment (independent of reserves and pensioners) will for the present year stand at 68,800, being an increase of 3,400 over that of last year, and of 6,400 over that which preceded it. The great majority of this force consists of continuous service men, who ultimately retire upon pensions.

It would be unreasonable to expect that the whole of the extra force required for the next four years should be obtained simply by additions to the permanent establishment of the Navy. To the naval reserves we must therefore look to largely supply these prospective deficiencies. A steady development of this force, both of officers and men, side by side with a fixed annual augmentation of the numbers of blue-jackets and marines, is the combination to be promoted.

ROYAL NAVAL RESERVE.

At the close of 1888 when the effect of the Regulations of June, 1886, was beginning to be felt, there were, on the Active List—

Lieutenants	59
Sub-Lieutenants	154
Midshipmen	140
Engineers and Assistant Engineers ...	32

but it was found that the number of Lieutenants and Sub-Lieutenants did not grow in proportion to the needs of the Reserve, though there was a desirable class of officers serving in large Steam Ship Companies, who were anxious to enter the Reserve, but who were debarred by the existing Regulations.

Two measures were therefore introduced by Order in Council, which—

1st reduced the service qualification of Midshipmen for promotion in favour of those who had undergone a course of 12 months' training in a man-of-war at sea, and

2nd relaxed the standard of qualification for the direct entry of Sub-Lieutenants by admitting 2nd and 3rd Mates of large ocean-going passenger steamers provided they had six years' service at sea and had passed an examination for Master.

The result has been that at the present time there are 202 Sub-Lieutenants on the List, 51 of whom have entered under the amended rules.

The Lieutenant's List has also been increased to 103, partly by promotion and partly by admitting direct from the Mercantile Marine a selection from the candidates who fulfilled the ordinary requirements, and by giving to those Sub-Lieutenants who had undergone 12 months' naval training the advantage of allowing junior service in the Mercantile Marine to count as a qualification for promotion.

The following Statement shows the number of officers now on the List compared with the numbers at the end of 1888, and the number estimated for 1890, as well as the numbers in the different ranks who have had a year's naval training, or have cruised at sea in the Evolutionary Squadron :—

	31 December 1888.	31 December 1889.	Estimated for 1890.
Lieutenants	59	103	135
Sub-Lieutenants	154	202	250
Midshipmen	140	173	200
Engineers and Assistant Engineers...	32	66	100

Officers who have completed a year's training during 1889—		
Lieutenants	6	
Sub-Lieutenants	5	
Midshipmen	2	
	—	13
Officers who have completed their training this year, or are now under training—		
Lieutenants	15	
Sub-Lieutenants	5	
Midshipmen	4	
	—	24
Total number of Officers who have been trained or are under training		40
Officers, not under training, who have been through "Excellent" or "Vernon" since 31 December, 1888—		
Lieutenants	6	
Sub-Lieutenants	1	
Midshipmen	1	
	—	8
Officers, not under training, who served in Fleet during Summer Manœuvres, 1889—		
Lieutenants	5	
Sub-Lieutenants	7	
Midshipmen	3	
	—	15

The public spirit of shipowners has contributed not a little to this satisfactory result, by inducing their officers to join the Reserve, and by giving those already in the Reserve facilities to join the Navy for a year's training, or for other shorter periods of instruction. During 1889 the number of officers who came forward as candidates for the Reserve was very far in excess of the number in previous years.

Service at sea in H.M. ships has brought the officers of the Merchant Navy in touch with the officers of the Royal Navy, and, among other advantages, the training and experience of man-of-war life and naval discipline have unquestionably enhanced the value of the Reserve of officers as a fighting force. In 1889, 37 officers either underwent or were undergoing 12 months' training at sea, and, in addition, eight have undergone a course of 20 weeks' gunnery and torpedo training, and 15 have been appointed to H.M. ships for Summer Manœuvres; thus a total of 60 officers have actually served in Her Majesty's ships.

The numbers of 1st and 2nd class Reserve have been kept up to the full number of 19,600, viz., 9,600 1st class, and 10,000 2nd class. It is proposed to increase the 2nd class during the present year by 1,000.

The number of Firemen R.N.R. is slowly increasing. They now number 548 as against 439 at the beginning of 1889.

In order to give additional facilities for training the men, increased accommodation at existing batteries is being provided and arrangements are in progress for placing new batteries at convenient centres round the coast to train the seafaring population.

On the whole the result of the year has been extremely satisfactory, and there is no reason to doubt but that, in case of need, the regular forces maintained for the naval service of the country would be well supplemented and supported by the Royal Naval Reserve.

ROYAL MARINES.

Nearly the whole of the additional numbers voted last year, viz., 1,100, have been raised without difficulty, and without any appreciable difference in the class of recruits. It is expected that the whole of the extra number will be completed before the end of the financial year. A large portion of those raised in the early part of the year have already finished their training at the depôt, and joined their divisions to complete their drills for service afloat.

The increased establishment of marine buglers formed in lieu of seamen bugler boys has been completed, and many of the new entries have been already embarked.

The efficiency of the corps in all military drills and naval gunnery has been fully maintained, and instruction in military training, reconnaissance, and field sketching carried out.

With regard to discipline, it is satisfactory to note that, as compared with past years, there is a general decrease of military offences, and a marked decrease in the number of cases of drunkenness.

During the past year the regulations under which young officers on first entry joined their Divisional Head Quarters for training have been modified; the Infantry, equally with the Artillery, will now join the Royal Naval College at Greenwich, where they will have advantages not open to them under the old system.

A large proportion of the corps were mobilized during the past year, the embarkations being effected with every despatch.

In addition to the naval ratings already held by Marines, the corps has lately been called upon to furnish volunteers for the Sick Berth Staff, for which eligible candidates presented themselves without delay.

A limited number of men of the Royal Marines will be trained in fleet signalling, to be employed if required as signalmen on board ship.

NAVAL MEDICAL SERVICE.

The experience of the Naval Medical Department during the past year has been most satisfactory.

The competitions for the entry of Surgeons have been productive of gratifying results.

It has been thought desirable, in the interest of the Naval Service, to establish a Board of Examiners, to be under the immediate control of the Admiralty, and independent of the Army, for the examination of candidates for entry into the Medical Branch of the Navy. The Admiralty accepted the generous offer of Sir Andrew Clark, the distinguished President of the Royal College of Physicians, to undertake gratuitously the Presidency of this Board, which is composed of the following eminent members of the medical profession:—Sir Dyce Duckworth, Lecturer and Physician to St. Bartholomew's Hospital; Sir W. MacCormac, Professor of Surgery at St. Thomas's Hospital; Mr. George Makins, Assistant-Surgeon and Lecturer at St. Thomas's Hospital; and Dr. Shore, Lecturer at St. Bartholomew's Hospital.

This change has necessitated the discontinuance of a system which had been in force for some years, and under which these examinations had been held conjointly with those for the Army and Indian Services.

ARRANGEMENTS FOR COALING AND DISTRIBUTING INTELLIGENCE DURING 1889 MANŒUVRES.

It was estimated that the 1889 Manœuvre Fleet would require 40,500 tons of coal. The quantity actually sent to, and demanded by, the officers in command during the manœuvres was 38,749 tons, or within 1,750 tons of the estimate.

In all, 27 vessels were employed as colliers. Of these, 25 were taken up by the Contract Department for service during the actual progress of the manœuvres. Of the latter, several made more than one trip. A Lieutenant was appointed to take charge of the coaling arrangements of each main Fleet. These arrangements showed a marked advance over those of the preceding year, and it may be fairly asserted that the problem of supplying coal to a Fleet rapidly moving from place to place has been partially solved.

An organized plan of collecting and distributing intelligence was worked by the Intelligence Department during the 1889 manœuvres with gratifying results. This indispensable element in an efficient system of preparation for war may be said to be secured.

DISTRIBUTION OF FLEET.

Various changes and alterations in the strength and composition of the squadrons abroad and the Channel and Mediterranean and reserve ships at home have been recently made.

The completion during the last two years of so large a number of battle ships and cruisers has enabled the Admiralty to raise the effective strength of the Navy in commission by the substitution on distant stations of more powerful vessels as reliefs, and in the Mediterranean and home waters by changes of a much more important character.

The Mediterranean Squadron has been raised to a force of 10 battle ships and two belted cruisers. At this strength it will be permanently maintained.

The Channel Squadron until quite recently has been looked upon as a training squadron, and has been composed of the older ironclads, broadside vessels fully rigged and capable of carrying large complements of men. It was assumed that these crews, or a portion of them, could, on an emergency, be turned over to the more modern ships which were in reserve. The experience, however, of the manœuvres has shown that the complexity and variety of the fittings and machinery of modern war vessels renders it impracticable for any crew, however good their general training may be, to satisfactorily handle at the outset a new ship to which they had been hastily transferred.

It has, therefore, been decided to alter the character and composition of the Channel Fleet by converting it into a squadron of modern ships of high speed and large coal endurance. At the return of the vessels now cruising this change will take place, and the squadron will hereafter consist of four armoured ships of the "Admiral" class and two belted cruisers.

The proposed substitution of four seagoing ironclads as flagships, in place of wooden hulks, in the four home ports, will be shortly completed.

When these changes are carried out there will be, independently of the so-called Channel Squadron, a large force in the Channel and home waters available at very short notice for active service.

1st. Four ironclads in commission as flagships at home ports. These vessels being fully commissioned, and having all their stores on board, will be ready at a few hours' notice.

2nd. The nine armourclads in commission, and associated with the Coastguard system. The arrangements in connection with this reserve are such that they will be ready for sea in 48 hours.

3rd. The vessels in the 1st Class Steam Reserve in the home ports. On the 1st July they will comprise six ironclads, two belted cruisers, and 16 cruisers, besides coast defence vessels and gun and torpedo boats. Under the mobilization

scheme all these vessels should be ready for service in five days, and several of them—viz., those which act as tenders for the gunnery ships—in a much less time.

There are thus available from these sources alone, for the defence of home waters, within less than a week, 19 ironclads (including those of the older type) and 18 cruisers, besides small craft.

The Channel Squadron is, therefore, no longer specially required for the purposes implied by its name. This name it is not proposed to alter, Portsmouth and Devonport still continuing to be the headquarters of the squadron. The Channel Squadron will, however, be available for other service if so required, and by its conversion into a powerful squadron, homogeneous in speed and coal endurance, the radius and rapidity of its action will be largely increased.

By thus distributing and grading our reserve ships we hope to ensure that the steps necessary to render them fit for sea can be taken rapidly, continuously, and without confusion, enabling us to bring up in successive lines a force at short notice, more than sufficient for the protection of our home waters.

GEORGE HAMILTON.

4th March, 1890.

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Such notices should be given during the sitting of the House. There must be a limit of time within which notices are handed in; but there is no absolute limit within a few seconds or even a few minutes
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